



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

Memorandum

To: Darrin Tangeman, Town Manager
From: Jarrod J. Cabral, Department of Public Works Director
Date: Feb 17, 2022
Subject: DPW Feasibility Study

- Cost associated with a new DPW facility remaining at 24 Town Hall Rd: Temporary facilities would be needed for an estimated 18 Month construction period. Our consultant is recommending a budget of \$250,000, and possibly three temporary locations would be needed to support operations. Operational needs will include...
 - Temporary location for vehicles, machines, personnel – Transfer Station – DEP & BOH permitting required, NPS would need to be notified of the temporary change in use. The depositing of yard waste would need to be suspended during the 18-month construction period.
 - Mobile office / break room with temporary power
 - Temporary power for engine lock heaters
 - Portable Bathroom facilities
 - Multiple storage containers
 - Temporary garage space would need to be located, and possibly leased for vehicle maintenance. If a location cannot be found, we may need to consider erecting a temporary structure to house maintenance operations which could add an additional \$100,000
 - Temporary location, for snow removal operations would need to be located (possibly DOT but not recommended)
 - Contract with local fuel station for gas and diesel for all Town vehicles
 - Staff time, and subcontractor time to setup and break down
- Additional water/well/environmental study costs associated with remaining at 24 Town Hall Road:
 - Well survey \$60,000 to possibly relocate existing well.
 - Recommended phase two environmental study \$32,000. If contaminants are found indicative of a release, we would be obligated to report it to DEP and the conduct any additional assessment and or cleanup are required by DEP cost is unknown.
 - Buried tank for fire suppression \$50,000
- Associated costs with developing Snows Field as a public water supply location:
 - Well survey \$60,000
 - Engineering Estimate pending with EPG
 - Buried tank for fire suppression \$50,000 located at 24 Town Hall Road
 - EPG Estimated Construction cost \$500,000
 - Pending comments from DEP on Zone 1 usage 100' radius is minimum



TOWN OF TRURO

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Tel: (508) 349-7004 Fax: (508) 349-5505

Memorandum

To: Darrin Tangeman, Town Manager
From: Jarrod J. Cabral, Department of Public Works Director
Date: Feb 3, 2022
Subject: DPW Feasibility Study

- DEP response to expanding at our current location: DEP representative James Mclaughlin stated, A zone 1 is required to only contain activities related to the water supply. 24 Town Hall Road our current site is currently a non-conforming zone 1. Zone 1s are not to become more non-conforming, DEP wants improvement to zone 1. Each of the fit test options that I presented to Mr. Mclaughlin result in a more non-compliant zone 1 and are therefore prohibited. Additional our maximum daily pumping rate at our current location is limited and can't be increased for a non-conforming zone 1. If we were to increase the pumping rate this would expand the zone 1, 100' radius.
- Snow's Field 1999 report Town Hall & COA Evaluation: Water samples taken from a well test site from Snow's Field in Aug of 1999 showed increasing levels of trichloroethane. This corresponds with previously found higher levels of trichloroethane at the irrigation well. No corresponding results were in any of the abutting properties in 1999. IF Snow's field was to be used for a public water source DEP would require that we investigate the water quality, and the potential source of the TCE. Depending on the results we may be required to start remediation. One option that was listed from 1999's report would be to install a 4" - 6" pipeline, pumping system, and a treatment system if Town Hall and the COA were to remain at 24 Town Hall Road. Based on current bid openings for installation of watermain lines. The estimate to install approximately 900' of 6" ductile iron waterline to our current site without including the new well installation, a pumping system, hydrants and treatment system the cost would approximately be \$350,000 with engineering. This does not include the cost to obtain permanent easements, or additional permitting. Installing a public water supply well will change the use of Snow's Field and will limit what it is currently used for.
- The DOT (104 Route 6) and Jacks Gas (100 Route 6): This site currently falls into the National Seashore District. This means that a new DPW Facility on either of these sites will be prohibited to store or dispose of tires, gas, diesel fuel, motor oil, oil filters or any type of hazardous material. This would eliminate our ability to perform vehicle maintenance, or fuel vehicles for the Town at these locations. For a more detailed list of prohibited uses within the seashore district please visit the prohibited use listing in Federal Regulations 36 CRF part 6.
- Jack Gas: As some of you know of you know Jacks Gas had a fuel spill in the late 1990's, and it was noted that the plume migrated to the neighboring DOT site. Since then, the phase V cleanup has been complete, the site is currently in remediation operation status with DEP which means bi-annual monitoring of the wells that are located at or around the site continue.

February 2, 2022

Jarrold J. Cabral
Director
Town of Truro
Department of Public Works
24 Town Hall Road
Truro, MA 02666

Re: Truro Public Works Facility | Response to Questions

Dear Mr. Cabral:

We have reviewed the list of questions provided to us following the February 11, 2020 Select Board Meeting and offer the following responses. The questions are numerated below, and our response immediately follows.

1. W&S agreed to look at well relocation on the current DPW/Town Hall parcel if rotation or reconfiguration of the proposed new DPW as depicted in its presentation is explored.

W&S reported that its conclusions about the possible relocation of the drinking water well at that site were based solely on information it had been given verbally about the Town having explored moving the well to another location on the site. Rae Ann Palmer and Emily Beebe stated that they knew nothing about any such exploration and confirmed that no well site analysis had been done.

Response: Following the meeting on February 11, 2020, Weston & Sampson evaluated several building and site alternatives with the goal of locating the proposed DPW operations outside of the Zone I for the existing well. This analysis looked three (3) new alternatives consisting of an L-Scheme, Stepped Scheme, and T-Scheme (see attached). To maximize the potential for these new schemes, we assumed that the salt shed would be relocated to an alternate site (see response to question 3 below for information related to a remote salt storage structure). Due to the operational area needed to access and circulate around the proposed building, we were unable to identify an alternative that did not include building, circulation, and/or parking within the Zone I of the existing well. Please note that we did not review potential alternate offsite well locations since this activity is not included in the current scope of services. This effort would require the Town to secure separate funding to support these investigation activities.

2. W&S and the SB agreed to explore well relocation from the DPW to Snow's Field or to abutting parcels that were for sale at the time of the meeting.

Creation of a remote well at Snow's Field was suggested and explored by the Town DPW prior to 2012. Planning for such a relocation (which would alleviate environmental concerns for the location of a new DPW on Town Hall Hill and create more space for a reconfigured building), were dropped after the retirement of the then Director of the DPW.

Response: As Weston & Sampson indicated in the February 11, 2020 meeting, a formal well relocation analysis was not completed and was not part of the initial scope of work. Weston & Sampson has reviewed historic information regarding the relocation of the well including consideration of Snow's Field. In this historic documentation, the Town determined that Snow's Field had been showing a gradual increase in levels of 1,1,1-trichloroethane which was a concern to MADEP if the source was to be used as a public water source. The Town would need to secure separate funding to support further investigation of this or any other potential site for a new well. Any evaluation of alternate locations should also take into consideration impacts and costs associated with a new pumping system, pipe conveyance system (including easements), potential treatment system, and water storage (if necessary).

- Excess wash water will freeze which can potentially damage vehicle parts such as salt/sand conveyor belts.
- Cold storage results in the hydraulic oil becoming more viscous. This overstresses hydraulic pumps which in turn damages or reduces the life expectancy of the pumps.
- Cold storage reduces the flexibility of the hydraulic hoses. Rigid hoses coupled with viscous hydraulic oil increases the potential for damaged or broken hydraulic hoses.
- Increase in response times due to no start conditions and increased warm-up periods.
- Snowpack on vehicles will not melt. This requires vehicles to be "defrosted" before vehicles are placed back into service or before maintenance activities can be performed.
- Salt/Sand product in spreader bodies will freeze which can damage the spreader system. This will require all salt/sand product to be loaded or unloaded each day.

Based on the operational impacts associated with exterior storage and the results of the cost/benefit analysis, the construction of a fully enclosed vehicle/equipment storage garage with minimal heat and code required ventilation is the most efficient, safe, and cost-effective solution for storing vehicles and equipment.

5. W&S promised to review and report back on their **comprehensive environmental evaluation** of all proposed sites, including why W&S reported that various sites "failed" from a space or environmental issues. These were to include regulatory as well as environmental issues.

At the meeting, W&S could not detail why "failed" determinations were assigned to some locations. Site determination will strongly impact the final budget.

Response: During the meeting, Weston & Sampson had explained the screening process that was used on the identified sites. Screening involved first confirming the site was adequately sized to support the new facility, and then that there were no environmental or human receptors that would prohibit development. Environmental receptors include vernal pools, streams, FEMA flood zones, ACEC areas, and NHESP habitats. Human receptors include restrictions such as water supply areas, landfills, and MCP and RCRA restricted areas. Only 340/344 Route 6 passed all requirements. While the existing DPW site at 24 Town Hall Road met the minimum lot size requirement, the site's existing water supply well protection zone limited the developable area to adequately accommodate a new Public Works Facility. Refer to response on Item 1 for additional information.

6. W&S promised to explore **variance and regulatory options** that might open up other sites.

In the 2/11/20 presentation, the Mass Highway site was deemed unusable because of salt contamination; why can't salt and fuel be stored there with rest of facilities elsewhere?

Response: It is our understanding that the Town previously engaged MassHighway to discuss locating a portion of DPW operations on the property and that MassHighway was not interested in sharing the site with the Town. This was stated by the Select Board during the meeting on February 11, 2020. The Select Board also raised concerns that prior contamination was identified on the site that the Town would not be interested in taking on the responsibility of site clean up.

7. W&S promised to review the cell tower **fall down zone** at the Safety Facility and how it would impact their proposed designs with respect to fuel storage, structures and abutters.

The current design has parts of the building and fuel and salt storage in the protected radius.

Response: The DPW Feasibility Study focused on the overall site's size and topographic characteristics to determine if the site worked from a conceptual design perspective. Further design development,

- The stormwater runoff from the paved areas will be directed into deep sump catch basins, conveyed to stormwater treatment units, and finally discharged into proposed infiltration areas to allow groundwater recharge and attenuation of peak flows.

9. W&S agreed that next steps were to include **traffic and other studies at proposed Rt 6 sites**

Traffic studies were considered especially important by the public. A Select Board member confirmed that more than one fatality had occurred at or near the intersection of the Rt 6 and the Safety Facility. In addition, a past, longtime Director of the DPW wrote a letter to the SB in which he cited the unique dangers of adding traffic to that location since it was at the top of a hill with visibility issues for traffic in both directions of Rt 6.

Response: Route 6 is the main thoroughfare of the Town, and all DPW vehicles travel Route 6 during daily operations to access Town roads and infrastructure. Traffic studies and mitigating design measures addressing the results of traffic study(ies) will be completed at later stages of the project if required through permitting, or as requested by the Town.

10. In addition, while specific promises were not made, this discussion opened up and made clear the importance and timeliness of addressing other relevant questions before any budget proposals can be completed, discussed and put before voters. These include but are not limited to:

- a. **Noise and other environmental impacts** on residential communities and properties adjacent to all proposed sites. The previous DPW Director's letter specifically mentioned noise complaints and how these would likely increase if the DPW were located to a more populated area.

Response: A new facility provides more enclosed space for DPW vehicles which mitigates the impacts of sound. As stated by Weston & Sampson during the February 11, 2020 Select Board meeting, the new facility would be designed with noise mitigation practices. Vehicles would be stored indoors, reducing 'hard' vehicle startups and reducing noises from backup alarms. Buildings would be placed in a manner to shield abutters from any yard area noises. Such yard operations also get minimized in modernized DPW facilities. Additional site amenities such as berms, fencing, and vegetated buffers also will be considered to mitigate the impacts to adjacent neighborhoods with the design of a new facility.

- b. **The cost and operational advantages of moving the estimated 8000-9000 sq. ft. of storage** to another location. This was suggested by our Finance Committee Co-chair to give increased flexibility in siting and configuration.

Response: Locating a portion of DPW vehicle and equipment storage to a remote location would create an operational disadvantage due to the inefficiencies of time, and increase design, construction, and operational costs. This would likely require duplicate employee support spaces at each location to meet current codes. In addition, it would require a significant amount of non-productive labor to ferry staff between sites each day to access equipment. Refer to Item 3 for additional information regarding remote operations.

- c. **Actual space and functional requirements for the DPW** in light of the conflicting perspectives reflected in the statement given by Chairman Weinstein that current levels of staff and equipment are close to what will be needed for the future while W& S specifically stating that design was based on having room to grow.

Response: The current DPW conceptual programmatic need has been reduced through the programming review process. The conceptual design meets the current DPW need with some minimal flexibility for additional enclosed spaces. Some examples of potential future minimal flexible growth include enclosing the canopy area or adding mezzanine space. This future planning does not contribute to an increase in the current program size. As stated at the February 11, 2020 meeting,

Statement of Zone I Compliance

- Your system is currently in compliance with Zone I requirements for the following well(s): _____
Please be advised that any modifications to the Zone I or activities within are subject to DEP approval.
- Please note that you lack ownership or control of the required **(100 FT)** Zone I protective radius around the following well: **4300041-01G**. If you plan to modify or expand this source or to replace any wells, you must notify DEP (in accordance with 310 CMR 22.21(3)(b), 310 CMR 22.04(1) and 22.21(10)(a)). At the time of such notification of a proposed modification or expansion, DEP may require you to comply with the Zone I requirement.
- You are hereby notified that the following well: **4300041-01G** are in non-conformance with the MassDEP's requirement (310 CMR 22.21(1)(b)(5)) that Zone I activities be limited to those directly related to the provision of public water or will have no significant adverse impact on water quality (as specified in Policy 94-03A). To the extent possible, efforts should be made to reduce or eliminate the impacts of non-conforming uses within the Zone I. Pursuant to 310 CMR 22.04(1) and 22.21(a), you must notify the DEP if you plan to modify or expand your source or to replace any wells. At the time of such notification of a proposed modification, expansion, or replacement, DEP may require you to comply with the Zone I requirement that all Zone I activities be limited to those directly related to water supply or will have no significant impact on water quality.

Non-Conforming activities documented within the Zone I: DPW BUILDING, PARKING LOT



Commonwealth of Massachusetts
Executive Office of Environmental Affairs
**Department of
Environmental Protection**
Southeast Regional Office

William F. Weld
Governor
Trudy Coxe
Secretary, EDEA
David B. Struhs
Commissioner

June 27, 1995

Mr. Paul Morris
Truro Town Hall - DPW
P.O. Box 2030
Truro, Massachusetts 02666

RE: TRURO--Public Water Supply
Transient Non-Community System
Notice of Registration and
Monitoring Schedule at the
Truro Town Hall,
PWS ID #4300041

Dear Mr. Morris:

The Department of Environmental Protection (the "Department"), Division of Water Supply conducted a registration survey of your facility on June 21, 1995. Based on information obtained during the survey, the Department has determined that the Truro Town Hall meets the Massachusetts Drinking Water Regulations definition of a Public Water System.

In accordance with the Massachusetts Drinking Water Regulations, 310 CMR 22.00, your facility has been registered as a transient, non-community public water system PWS. Your PWS identification number is PWS ID #4300041. Please use this number in all correspondence regarding your system.

The Drinking Water Regulations of Massachusetts require that you have your drinking water routinely analyzed for total coliform bacteria, nitrate, nitrite, and sodium. The above analyses must be performed by a state certified laboratory at your expense and two copies of the nitrate, nitrite, and sodium analyses results must be sent to the Department at 1 Winter Street, Boston, MA 02108. In addition, one copy of the total coliform bacteria results must be sent to the Department at 20 Riverside Drive, Lakeville, MA 02347. Enclosed with this letter is a Water Quality Sampling Schedule. This schedule is to be referred to for the routine water quality testing of your system. Failure to comply with the regulations will cause you to have to notify the public of this failure by conspicuous, continuous posting. Also enclosed with this letter is a coliform sampling location form. This form identifies the location where your coliform bacteria sample must be taken. Please sign this form, retain a copy for your file, and return the original to this office within ten (10) days.

Please be aware that 310 CMR 22.11B requires that every public water system be operated by a certified operator. (Certified Operator means an operator who has received a certificate of competency issued by the Board of Certification of Operators of Drinking Water Supply Facilities in accordance with 236 CMR 2.00, 3.00, 4.00, and 5.00 and currently maintains a valid license.) A partial list of Certified Operators in your geographic location and a "PUBLIC WATER SYSTEM CERTIFIED OPERATOR COMPLIANCE NOTICE" are enclosed for your convenience.

You are also hereby notified that the Truro Town Hall well is in non-conformance with the Departments requirement that Zone I activities be limited to those directly related to the provision of public water (310 CMR 22.21(1)(a)5). The registration survey revealed that the Center on Aging Building, Center on Aging parking lot, a road, and DPW operations are located within the Zone I. Pursuant to 310 CMR 22.04(1) and 22.21(a), you must notify the Department if you plan to modify or expand your system or to replace any wells. At the time of such notification of a proposed modification or expansion, the Department may require you to comply with the Zone I ownership requirement that all Zone I activities be limited to those directly related to water supply.

As the Truro Town Hall well is a newly identified water supply well which came on-line prior to January 1, 1994, and does not meet Zone I requirements, the following information is also required:

1. A well plan and,
2. Initial sampling for the following compounds:

Inorganic Chemicals as listed in 310 CMR 22.06(2),
Unregulated Inorganic and Volatile Organic Chemicals as listed in
310 CMR 22.07C, Volatile Organic Chemicals as listed in 310 CMR
22.07B(1), and General Chemistry parameters as noted on the
enclosed list.

If you have any questions, please contact Paul Jankauskas at (508) 946-2805.

Very truly yours,

OK, pd 6-27-95

Lawrence S. Dayian, Chief
Water Supply Section

D/PTJ/bh

Enclosures

Town of Truro

Town Hall Water Supply

December 18, 1998

Alternative 1

Construction Cost Estimates for Alternatives Analysis

\\epc\Projects\Truro\Town Hall Alt - Est.xls

Town Hall remains on Town Hall Road. Water supply is provided by an extension from the existing water distribution system terminus at the Truro Central School.

1. Storage reservoir constructed at the Public safety Building. Booster Pump with associated valves and piping at South Hollow to provide supply to the storage reservoir.
2. 12" or 16" water main from terminus to Town Hall Road (8025').
3. 8" water main from Town Hall Road to Town Hall/COA (1800')
4. Flow Data: Pressure = 45psal (Flow @ 10") = 4188gpm

ITEM	DESCRIPTION	UNIT	TOTAL QTY	UNIT PRICE	TOTAL COST	SUBTOTALS
A	750,000 GALLON STORAGE RESERVOIR					
a	Tank Unit	each	1	330000.00	\$330,000	
b	Tank Foundation	cys	100	177.00	\$17,700	
c	Subgrade Preparation - Excavation	cys	350	32.50	\$11,375	
d	Booster Pump for Reservoir	fs	1	330,000.00	\$330,000	
e	Clearing & Grubbing	acre	1	\$2,586.00	\$2,586	\$392,633
B	12" or 16" WATER MAIN EXTENSION (8025 ft)					
a	Old Pavement Excavation	sys	0	5.00	\$0	
b	Class A Trench Excavation	cys	8500	11.33	\$96,309	
c	16" Ductile Iron Water Pipe (Rubber Gasket)	lf	9025	32.85	\$296,471	
d	Backfilling Structures (Reuse Excavated Soil)	cys	8500	4.50	\$38,250	
e	Class I Bit Conc Type I-1	tons	0	29.31	\$0	\$431,029
C	8" WATER MAIN EXTENSION (1800 ft)					
a	Old Pavement Excavation	sys	1000	5.00	\$5,000	
b	Class A Trench Excavation	cys	1700	11.33	\$19,261	
c	8" Ductile Iron Water Pipe (Rubber Gasket)	lf	1800	45.94	\$82,692	
d	Backfilling Structures (Reuse Excavated Soil)	cys	1700	4.50	\$7,650	
e	Class I Bit Conc Type I-1 (4" - Trench only)	tons	225	29.31	\$6,595	\$121,198
D	ADDITIONAL HYDRANTS (36)					
a	Old Pavement Excavation	sys	11	5.00	\$55	
b	Class A Trench Excavation	cys	19	11.33	\$215	
c	8" Ductile Iron Water Pipe (Rubber Gasket)	lf	20	41.07	\$821	
d	Gravel Borrow for Backfilling Structures	cys	19	12.31	\$234	
e	Class I Bit Conc Type I-1	tons	3	29.31	\$73	
f	Hydrant (spaced every 300')	each	1	1638.00	\$1,638	
g	Service Box (spaced every 300')	each	1	29.31	\$29	
h	Total Cost For Hydrants	each	36	\$3,076	\$110,723	\$138,733
	Subtotal					\$1,058,656
	Engineering (15%)				\$158,798	\$1,217,454
	Contingency (20%)				\$243,491	\$1,460,945
	GRAND TOTAL					\$1,704,340

Town of Truro Town Hall Water Supply
 December 15, 1999 Alternative 3
 Construction Cost Estimates for Alternatives Analysis
 a:\proj\EPGP\Project\Truro\Town Hall Alt - Est.xls

Town Hall is moved to Standish Way on Town property (at Library site).

1. Provide 6" Service Main from exist 12" water main on Rte 8.
2. Reservoir not required.
3. Flow Data: Pressure = 48psi Flow = 1318gpm

ITEM	DESCRIPTION	UNITS	TOTAL QTY	UNIT PRICE	TOTAL COST	SUBTOTALS
A	6" SERVICE MAIN EXTENSION (230 LF)					
	a) Old Pavement Excavation	lys	0	5.00	\$0	
	b) Class A Trench Excavation	lys	100	11.33	\$1,133	
	c) 2" Service	lf	200	10.00	\$2,000	
	d) Backfilling Structures (Reuse Excavated Soil)	cys	100	4.50	\$450	
	e) 2" x 1 Bit Conc Type 1	tot	0	29.31	\$0	\$3,583
	Subtotal					\$3,583
	Engineering (15%)				537	\$4,120
	Contingency (20%)				716	\$4,836
	GRAND TOTAL					\$5,556

Town of Truro

December 16, 1999

Construction Cost Estimates for Alternatives Analysis

Town Hall Water Supply

Alternative 4, Scenario 2

Project: WPDW Project/Truro/Town Hall AR - Est 08

Hopkins Estate Well connected to existing water distribution system with storage reservoir at the Hopkins Estate Site.

1. Storage reservoir constructed at the Hopkins Estate Site with Booster Pump to provide supply.
2. 12" or 16" water main from Hopkins Site to Terminus (13475')
3. 8" water main from Town Hall Road to Town Hall/COA (1800')
4. Provide Groundwater Supply Well at Hopkins Site.
5. Flow Data: Pressure = 46 ps; Flow(16") = 1200 gpm

ITEM	DESCRIPTION	UNITS	TOTAL QTY	UNIT PRICE	TOTAL COST	SUBTOTALS
A	750,000 GALLON STORAGE RESERVOIR					
a	Tank Unit	each	1	330,000.00	\$330,000	
b	Tank Foundation	cys	140	194.00	\$27,160	
c	Sitegrade Preparation - Excavation	cys	350	8.25	\$2,888	
d	Booster Pump for Reservoir	ls	1	30,000.00	\$30,000	
e	Clearing & Grubbing	acrs	1	5171.00	\$2,586	\$392,633
B	12" or 16" WATER MAIN EXTENSION (13475')					
a	Old Pavement Excavation	cys	0	5.00	\$0	
b	Class A Trench Excavation	cys	12477	11.33	\$141,264	
c	16" Ductile Iron Water Pipe (Rubber Gasket)	lf	13475	32.85	\$442,634	
d	Backfilling Structures (Reuse Excavated Soil)	cys	12477	4.50	\$56,147	
e	Class I BK Conc Type I-1	tons	0	29.31	\$0	\$640,145
C	8" WATER MAIN EXTENSION (1800')					
a	Old Pavement Excavation	cys	1000	5.00	\$5,000	
b	Class A Trench Excavation	cys	1700	11.33	\$19,261	
c	8" Ductile Iron Water Pipe (Rubber Gasket)	lf	1800	45.94	\$82,692	
d	Backfilling Structures (Reuse Excavated Soil)	cys	1700	4.50	\$7,650	
e	Class I BK Conc Type I-1	tons	225	29.31	\$6,595	\$121,108
D	ADDITIONAL HYDRANTS (51)					
a	Old Pavement Excavation	cys	11	5.00	\$55	
b	Class A Trench Excavation	cys	19	11.33	\$215	
c	6" Ductile Iron Water Pipe (Rubber Gasket)	lf	20	41.07	\$821	
d	Gravel Borrow for Backfilling Structures	cys	19	12.81	\$243	
e	Class I BK Conc Type I-1	tons	3	29.31	\$73	
f	Hydrant (spaced every 300')	each	1	1638.00	\$1,638	
g	Service Box (spaced every 200')	each	1	29.31	\$29	
h	Total Cost For Hydrants	each	51	\$3,076	\$156,338	\$156,338
E	GROUNDWATER SUPPLY WELL					
a	Land Acquisition	ls	1	100,000.00	\$100,000	
b	Corrosion Control	ls	1	50,000.00	\$50,000	
c	Gravel Pack Well (36" dia. w/ 24" screen)	wf	160	\$10.00	\$64,800	
d	Submersible Pump	each	1	100,000.00	\$10,000	
e	Mechanical / Electrical	ls	1	25,000.00	\$25,000	
f	Flanges & Valves	ls	1	25,000.00	\$25,000	
g	Pump Chamber	each	1	15,000.00	\$15,000	
h	New Source Approval / Permitting	ls	1	250,000.00	\$250,000	\$559,800
						\$1,070,633
Subtotal						\$1,070,633
Contingency (15%)					\$280,595	\$1,351,228
Contingency (20%)					\$430,250	\$1,781,478
GRAND TOTAL						\$1,781,478



TOWN FILES _____

95 State Road
Buzzards Bay, MA 02532
(508) 888-3900
FAX (508) 888-6689
<http://www.ensr.com>

February 22, 1999

Mr. R.W. Breault, Jr.
Town Administrator
Truro Town Hall
P.O. Box 2030
Truro, MA 02666

ENSR File: 8726-454

RE: Jack's Gas
100 Route 6
Truro, MA 02666

Dear Mr. Breault:

The property located at 100 Route 6 in Truro has been classified pursuant to the Massachusetts Contingency Plan (MCP), 310 CMR 40.1511 as a Tier 1-C Disposal Site, Release Tracking Number 4-13690. Documentation in support of the Tier Classification submittal can be reviewed at the Southeastern Regional Office of the Massachusetts Department of Environmental Protection located in Lakeville.

ENSR will be publishing the enclosed legal notice relative to the above-referenced site, pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000).

This legal notice will be published in The Provincetown Banner on February 25, 1999.

Yours truly,

ENSR

[Handwritten signature]
Joseph P. Salvetti, LSP
Senior Associate

RECEIVED
ELECTMENS OFFICE
FEB 23 1999
TOWN OF TRURO
MASSACHUSETTS

Jarrold Cabral

From: Michelle Thomas
Sent: Monday, February 7, 2022 12:59 PM
To: Jarrod Cabral
Subject: accident numbers

I was finally able to find where the accident records are kept upstairs..so far from 2005 -2011 you can add 12 more with no fatalities. I believe that would bring the number to 30. I will keep looking back previous years, they aren't together so it's going box by box

Michelle Thomas
Administrative Assistant
Telecommunicator
Public Notary
Firearms Licensing Agent

344 Route 6/ PO Box 995
Truro, MA 02666
508-487-8730



Jarrold Cabral

From: Michelle Thomas
Sent: Friday, February 4, 2022 1:47 PM
To: Jarrod Cabral
Subject: Re: Accident Number request

1 in front of the station, Sometime in the late 90's. Well known for anyone living in town at that time.

Michelle Thomas
Administrative Assistant
Telecommunicator
Public Notary
Firearms Licensing Agent

344 Route 6/ PO Box 995
Truro, MA 02666
508-487-8730



From: Jarrod Cabral <jcabral@truro-ma.gov>
Sent: Friday, February 4, 2022 1:04 PM
To: Michelle Thomas <thomas@truropolice.org>
Cc: Jamie Calise <JCalise@truro-ma.gov>
Subject: RE: Accident Number request

Thanks, where there any fatal?

From: Michelle Thomas <thomas@truropolice.org>
Sent: Friday, February 4, 2022 1:02 PM
To: Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Jamie Calise <JCalise@truro-ma.gov>
Subject: Accident Number request

Hi Jarrod,

Per our conversation earlier today here is what I came up with from 2011-2022.

There were 28 motor vehicle accidents between Andrew's way and the intersection of Route 6 and Shore Rd which required a PD response. Before 2011, the PD used the Pamet system which is inaccessible as of today. I will check with the Deputy Chief to see if there was a way they documented accidents in that time frame of which I can not find upstairs in the records room.

TRURO

Station spill may have migrated

By Michael Iacussa
BANNER CORRESPONDENT

For the first time there are indications the gasoline spill from Jack's Gas on Route 6 may have migrated off the station property.

The state Dept. of Environmental Protection confirmed that groundwater on the adjacent Mass. Highway Department property is showing contamination. Since the groundwater tested clean at that site previously, the DEP believes the contamination is "most likely" from the Jack's Gas spill.

The spill, caused by a leaking underground storage tank, was discovered a year and a half ago, effectively shutting down the station. Owner Richard Aiken has since recovered more than 700 gallons of material and transported it off the site.

Aiken, who has owned Jack's Gas since 1978, said he had not yet been notified that the spill was no longer contained on his property. He added that the clean up process is now in the hands of the DEP.

Julie Hutchinson, of the DEP's emergency response branch, said eight monitoring wells were sunk in July. From those wells, the DEP has determined that the spill is heading north to northwest towards the salt sheds at the state highway garage. She said the drinking water well at the highway department has not been affected.

Groundwater on Aiken's property is located about 100 feet underground and runs north. Most of the private wells on surrounding properties are southwest of Jack's Gas and

thus are less at risk and have not been contaminated. The state highway garage is located to the north of Jack's.

The DEP confirmed that the only drinking water well to have been contaminated is the one on Aiken's property.

"No other well within a 4,500-foot radius of where the tanks leaked have been contaminated," Aiken said.

Gasoline is still being removed from Aiken's property. The DEP has recently put in a soil vapor extraction system to remove the saturated soil as well.

Jack's Gas resides within the boundaries of National Seashore and Aiken is required to obtain a commercial certificate of use from the Seashore every five years. The certificate expired Dec. 31, 1998, but has been renewed on a temporary basis as the cleanup process is being completed.

The station, known for its Cape flavor and its similarity to a gas station in a painting by Edward Hopper, is still open for other business, selling firewood and frozen Milky Way candy bars among other items.

Jarrold Cabral

From: Jarrod Cabral
Sent: Thursday, March 26, 2020 6:04 AM
To: Alberti, Jeffrey
Subject: FW: Message from KM_C300i
Attachments: SKM_C300i20031305240.pdf

Good morning, Can we get an update?

Thanks - Jarrod

From: Jarrod Cabral
Sent: Friday, March 13, 2020 6:53 AM
To: Alberti, Jeffrey <albertij@wseinc.com>
Subject: FW: Message from KM_C300i

Good morning, Let me know when you are ready to get started. I'll also be contacting you about 100 Route 6, this property abuts the DOT site Phase V cleanup has been complete, the family is interested in selling to the Town. The DEP ID information is - RTN 4-13690 - LSP is Michael J. Pierdinock at Lightship Engineering, (508) 830-3344, I spoke with him last week I told him you may be calling him. This is not one of the sites we considered due to the gas station fuel leak in 1999. They are currently in remediation operation status with DEP so basically its monitoring the wells quarterly. I believe the Town would have to take on the cost of monitoring, but would like to follow up on this site anyway. I'm in meetings until 12:00 I'll try to catch up with you this afternoon.

Thanks- Jarrod

From: thetownoftruro@gmail.com <thetownoftruro@gmail.com>
Sent: Friday, March 13, 2020 5:24 AM
To: Jarrod Cabral <jcabral@truro-ma.gov>
Subject: Message from KM_C300i



Health/Conservation Agent

Town of Truro

Phone: (508) 349-7004 ext. 32

Fax: (508) 349-5850

MEMO

To: Pamela Nolan, Town Administrator
From: Patricia Pajaron *P*
CC: Board of Selectmen, Board of Health, ATA/Planner Charleen Greenhalgh
Date: June 16, 2008
Re: **Jack's Gas 100 Route 6**

I am following up on Board of Selectmen member Chris Lucy's inquiry on the status of the 21E activities at Jack's Gas, 100 Route 6.

I researched MassDEP's cleanup site information online and noted that the property's current compliance status is in Phase V: *Operation, Maintenance and/or Monitoring*. In June of 2002 MassDEP sent the property owner a letter outlining Special Conditions to establish a timeframe for assessment and remedial response. Number 8 of the Special Conditions requires quarterly water quality samples from the private well at the Mass Highway Department and from wells along Prince Valley Road. '

The Hazardous Waste Licensed Site Professional for this property is Michael J. Pierdinock of Lightship Engineering. In my conversation with Mr. Pierdinock on June 13th, he reported to me the following:

1. the well monitoring of these private wells at the Mass Highway Department and well along Prince Valley Road are ongoing and that no well has tested positive for VOC's, specifically those compounds found in gasoline.
2. the plume is about 700 feet in size. The type of compounds found in gasoline has become dissolved in the groundwater. It is very unlikely that the plume will increase in size, as it has stabilized over the past few years. However if the plume were to increase greater than 700 feet in size, the dilution of the contaminant would increase.
3. the plume is 4500 feet away from the Pamet River. There is a very low probability that the plume will reach the Pamet River, as it has stabilized over the past few years.

Should you have any questions, please feel free to call me.

URBELIS & FIELDSTEEL, LLP

Lauren McKean
September 15, 2008
Page 2

system, over 2600 lbs of contaminants have been removed. (Between 1998 and January 2002, additional gasoline and gasoline constituents were removed by a previous consultant using hand-bailing, active skimming and soil vapor extraction.) By May 2008, Lightship reported that the remedial system had reached the point where further operation would not have an appreciable affect on groundwater conditions and the continued expense of operating the system could not be justified. Lightship also reported that the remaining plume is stable, does not pose an Imminent Hazard, and there are no new receptors that may be impacted in the future. After receiving approval from DEP, the remedial system was shut down on May 27, 2008. Lightship continues to monitor site conditions on a quarterly basis and the site remains at present in Phase V, Remedy Operating Status. Monitoring will continue until groundwater conditions throughout the site reach "GW-1" standards under the Massachusetts Contingency Plan.

Lightship also continues to sample periodically certain private wells on Prince Valley Road and at the Mass. Highway Department (MHD) garage. Lightship reports that since October 2002, only chloroform has been detected in the drinking water sample collected from the MHD well and the residences at 5 and 15 Prince Valley Road, with one exception. On January 19, 2004, MTBE was detected at the MHD well at a concentration of 0.6 parts per billion ("ppb"). The drinking water (GW-1) standard for MTBE is 70 ppb, but in any event, MTBE has not been detected in the MHD drinking water during the subsequent sampling events. The concentration of chloroform detected ranged from three to seven ppb, which is consistent with historical results and is most likely background for Cape Cod. Chloroform is not a constituent of gasoline.

Additional details regarding remedial activities and sampling results can also be found in the status reports and sampling reports which are periodically prepared by Lightship and submitted to DEP with copies provided contemporaneously to the CCNS.

I trust that this summary will be sufficient for the upcoming meeting of the CCNS Advisory Commission. If you have any questions, or if you believe that it is necessary for me and/or a representative from Lightship Engineering to attend the meeting, please contact me at (617) 338-2200.

Very truly yours,


Thomas G. Fiore (CKMP)

TGF/kmp



Consulting • Engineering • Remediation

95 State Road
Buzzards Bay, MA 02532
(508) 888-3900
FAX (508) 888-6689
<http://www.ensr.com>

March 5, 1999

Ms. Jane Crowley
Truro Board of Health
P.O. Box 2030
24 Town Hall Road
Truro, MA 02666

RE: Jack's Gas
100 Route 6, Truro

Dear Ms. Crowley:

The Massachusetts Department of Environmental Protection has requested that the following notification be provided to the Truro Board of Health on behalf of Jack & Jill's Gas, Inc.

The documented groundwater flow direction at the Jack's Gas site is to the northeast. According to the information obtained in the course of the recently completed Phase I - Initial Site Investigation Report, there are no downgradient, private drinking wells within 1500 feet of the site. A copy of a map depicting a 1500 foot radius and documented groundwater flow is enclosed for your reference.

Please contact the undersigned if you have any questions.

Yours truly,

ENSR

Joseph P. Salvetti, LSP
Senior Associate

JPS/mct

Enclosure

cc: Ms. Julie Hutcheson, MADEP
Mr. Richard L. Aiken
Thomas G. Fiore, Esq.



TOWN OF TRURO
TOWN ADMINISTRATOR

P.O. Box 2030, TRURO, MA 02666
TEL: (508) 349-3635 FAX: (508) 349-7720

MEMORANDUM

Date: September 7, 1999

From: Town Administrator

To: Board of Selectmen *R.W. Beaudet*

Copy: Town Building Committee
Council on Aging
Planning Board
Board of Health
Historical Commission
Provincetown Town Manager
Provincetown Water and Sewer Board
East Cape Engineering

Subj: **Water for Town Hall/COA Construction Project**

The purpose of this memorandum is to alert you to a developing list of "options" that are becoming more focused with respect to an imminent need for a decision from the Board of Selectmen on a future course of action with respect to the Town Hall and Council on Aging construction project(s). I will have a better list for you as soon as East Cape Engineering develops cost estimates for the variety of options with regard to obtaining water for a public water source, and what types of activities may be used on top of the soon to be completed landfill capping project. We will also need the results of the Provincetown Water and Sewer Board water system hydraulic study in order to complete our cost estimates.

Mark McKenzie (East Cape Engineering) and I met with DEP (Larry Dayian and Mike Quink) on Friday, September 3, 1999, to discuss the present status of our quest for a suitable public water source at Snow's Field, and the variety of possibilities that may then develop. I have prepared the below "preliminary" list of options for your consideration:

1. Snow's Field: **This option assumes that Town Hall and the COA will remain on Town Hall Road.**
 - a) A succession of 3 new water samples taken at our test well site at Snow's Field on 8-19-99 showed gradually increasing levels of 1,1,1-trichloroethane. This corresponds with the previously found higher levels of 1,1,1-trichloroethane at the irrigation well. I want to emphasize that all results are well below normal

- d) This option should also be considered as the beginning of a possible water line extension to South Truro and Wellfleet - a Regional Water District. It should also be considered positively if we plan to acquire land on the Chequessett Lens through the open space/Cape Cod Land Bank Bill for future wellhead protection purposes. Why buy the land if we have no intention of extending the pipeline?
- 3 Existing Town Hall/COA/DPW Well: **This option assumes that either Town Hall or the COA will not remain on Town Hall Road. Either the Town Hall or the COA will have to be constructed elsewhere.**
- a) The existing "grandfathered" well could be used for **either** a new/remodeled Town Hall **or** a remodeled and expanded COA - IF - projected water demand is the same or lower than current usage. Current projections for both the Town Hall and the COA would exceed the capacity of the existing well. Therefore one or the other must be constructed elsewhere.
- b) If the current Town Hall is remodeled for either purpose, it would more closely meet current and projected space needs for the COA, not the Town Hall. Given that the Town Hall building is now on the National Historic Register, and given the previous concerns for expanding, adding on or moving the building, and given that projected Town Hall space needs will exceed the capacity of the building - even with a basement - then it follows that the Town Hall should be constructed elsewhere.
- c) If the current Town Hall is converted to use as a COA, the project would be eligible for multiple grants for the reconstruction and/or remodeling to meet code and other requirements. This would significantly reduce the cost.
- d) It appears that almost any variation of this option may require the hiring of a new architect.
- e) Any revision to a standard Zone I or Zone II, to conform to the contours of the existing land owned by the Town, would not be acceptable to the DEP. Even if substantial changes were made to roads, parking lots, building sizes, and so forth, and if all water and soil sampling and water tests were acceptable, DEP may still not consider the land as acceptable for a new public water source. This is especially so given the location of the current septic system. This option should be ruled out.
- f) Moving DPW off the Hill would probably not remove sufficient water usage to allow both the Town Hall and the COA to remain. Where would you move the DPW? The landfill cannot be used for this purpose without a massive

Board of Selectmen and Building Committee Public Hearing
3/11/99

1. Apply to D.E.P. for New Well on Site

Pro

May be least expensive
Allows completion of original design intent
May be least projected time if DEP approval
Is received

Con

Limits use of town hall site
Added cost of site work
Realign roadway/ loss of parking
Risk of DEP rejection

2. Apply to D.E.P. for New Well Off Site

Town offices remain on hill
Project can resume after DEP approval of well
System may be sized for projected future use
And growth

Limited to site use only
Ball field Use restricted
Water treatment may be necessary
Additional length of time ie: DEP
permitting process
Additional cost to project

3. Extend Provincetown/Truro Water Main to Site

Can become part of future regional plan
Reduces fire suppression system costs
at site
Allows for expanded use & growth at site
Allows extension of fire suppression
(Hydrants) along Route 6

Installation costs
Requests for tie ins by abutters
Time projections
Need for Ptown & DEP approval
: insufficient pressure in line

4 Relocate Town Offices To New Site

Visible municipal building
Convenient public access
Water main available on site
Design not limited by site restraints
Convenient interface of municipal
buildings
Does not displace existing functions during
construction
Closer to geographic center of town
Allows the town to make rational decisions
For existing buildings
Primary electric is already on site

Non traditional location
Old town hall still in need of
preservation
Conflicts with consensus
Traffic concerns
New construction project still
necessary

Alt # 2 Apply to DEP for a new well Off Site

PRO # 3 & CON # 6

This site has limitations in that a 200 ft. radius default zone is all that is possible. This limits future growth in both non-transient (workers) and transient (visitors and /or COA functions.).

The cost for this proposal is Engineering; \$12,800, (East Cape ltr 12/8/98) And Construction; \$148,000,(East Cape ltr 1/15/99). These numbers are with DPW participation (30,000) and the necessary work and equipment for fire suppression.

CONCLUSION;

Alt. # 3 EXTEND ROUTE 6 WATER MAIN TO SITE.

Pro # 2 Because of water supply, and pressure the need for the \$60,000 (East Cape ltr 1/25/99) expenditure for tank and pressure pumps at town hall will probably be unnecessary.

Con # 3 Although there has been no definitive time table suggested, if we wait for a district water system including the park and wellfleet as suggested by DEP (ltr 7/22/98) a timetable of between 5 and 20 years is not unreasonable.

Con # 4 The Provincetown water dept is under no obligation to extend its water main beyond its existing service area. (DEP ltr 7/22/98). "----- currently has a supply shortage"

CONCLUSION;

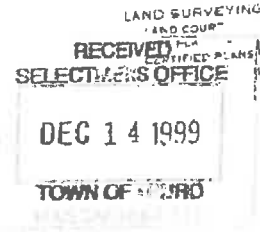
Alt # 4 LOCATE BUILDING TO A DIFFERENT SITE (Public Safety site or Saada/ Library site)

Con # 2 Our commitment is to save the existing building and solve the space needs of government in a rational and cost effective way. One way of achieving this is to

east cape engineering, inc.

44 Route 28
P.O. Box 1525
Orleans, Mass. 02653
508-265-7120
FAX 508-255-3176

CIVIL ENGINEERING
WATER RESOURCES
ENVIRONMENTAL
SANITARY
STRUCTURAL
WATERFRONT



MEMORANDUM

FROM: Mark McKenzie *Mark McKenzie*

TO: Bud Breault, Administrator

SUBJECT: Cost Estimates for Water Supply Option at Snows Field for New Town Hall

As per our meeting on November 29, 1999 and using your memorandum dated September 7, 1999, East Cape Engineering, Inc. completed a cost estimate for obtaining potable water from a proposed well at Snows Field for the proposed new town hall. Environmental Partners Group has completed cost options for other sources of water addressed in your memorandum.

Cost to Develop Snows Field for Supply of Water

The cost was determined in a letter dated January 15, 1999 for developing a water supply at Snows Field. Since that time, initial review and monitoring of the site has revealed that there is contamination consisting of 1,1,1 Trichloroethane in the ground water. DEP has stated that if the town wants to pursue use of this site, investigation to determine the source of contamination would be required as well as treatment of the water supply.

The cost for the option from the original proposal was approximately \$150,000. The piping size was increased and therefore the cost would increase by up to \$10,000 for the increased pipe size as well as including fire hydrants in the system.

It is estimated that the investigation to determine the nature and extent of the contamination would cost at a minimum \$50,000 and could be upwards of \$100,000 depending upon what is found. This cost is high due to the expense of drilling wells in the area where water is 140 feet below ground surface.

The estimated cost for design and construction of a treatment system to remove the contaminants using carbon absorption or aeration is between \$75,000 and \$100,000. The estimated annual operations and maintenance (O&M) expense to run the treatment systems is between \$1000 and \$2000 depending upon the technology selected. This O&M cost should be compared in the other options to the estimated annual cost of purchased water from the Provincetown Water Department.

The total estimated cost for this option is \$362,000.

- Procure and install pressure tanks, controls, pH adjustment treatment system and post treatment transmission lines \$16,000
- Procure and install large underground water reservoir for storage of water for building sprinkler system. Includes backup power and controls \$60,000
- Initial startup and system calibration checks, etc. \$10,000

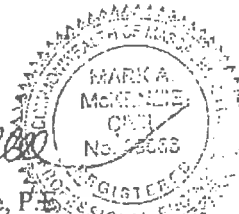
TOTAL EST. COST: \$148 000

5. Long Term O&M costs will also be incurred for operation of the system, maintenance and operation of the treatment system, and compliance sampling for a public water supply. The overall cost for operation is estimated at \$3,000 per year.
6. If the DPW did not do the installation, a minimum of an additional \$30,000 would be required to be added to the cost of the project which would include the labor and bid preparation for the project.
7. If there are any questions, please contact Mark McKenzie

Sincerely,

Mark A. McKenzie

Mark A. McKenzie, P.E.
Treasurer, East Cape Engineering, Inc.



December 14, 1999

Mr. R.W. Breault, Jr
Town Administrator
Town of Truro
Town Hall
Truro, Massachusetts 02666

 Environmental
Partners
Group, Inc.

P.O. Box 730
Hingham, MA 02043

Phone: 781-749-6771
Fax: 781-749-6607

RE: Truro Town Hall
Water Supply Alternatives Analysis

Dear Mr. Breault:

Below is provided a summary of our water supply evaluations for providing water supply to alternative locations for the proposed Truro Town Hall and Council on Aging (COA). These alternatives were identified by you at our meeting of November 3, 1999 and consist of the following:

1. Town Hall and COA remain at their present location and are connected to the existing terminus of the water distribution system. A storage reservoir is constructed at the Public Safety Building to improve the water distribution system pressures and flows.
2. Relocate Town Hall or COA to the Public Safety Building property and is connected to the existing terminus of the water distribution system. A storage reservoir is constructed at that location.
3. Relocate Town Hall or COA to Town property at Standish Way in the vicinity of the Library. Connect to the existing distribution system at that location.
4. Town Hall and COA remain at their present location. A water supply is developed at the Hopkins Estate and connected to the existing water distribution system. A water storage reservoir is constructed at either the Public Safety Building or at the Hopkins Estate.

For each of these alternatives the static pressure and flow at each location was predicted using the Cybernet model of the water distribution system. This is the same model that was used by the Town of Provincetown to

- 8" water main from Town Hall Road to Town Hall/COA buildings (1800 linear feet)
 - Hydrants placed at 300 foot intervals on Rt. 6 and Town Hall Road (36 total).
 - Estimated engineering and construction cost: \$1,461,000.
2. *Town Hall or COA is moved to the Public Safety Building property*
- Town Hall and COA are relocated to the Public Safety Building property.
 - A storage reservoir and associated infrastructure, similar to that described under Alternative 1, is constructed at the Public Safety Building to provide minimum pressures and flows.
 - Predicted static pressure and flow: Static pressure - 54 psi.
Flow: greater than 3500 gpm.
 - 6" water main and service from Rt 6 to Town Hall/COA buildings (200 linear feet)
 - One hydrants is installed in the vicinity of the new buildings
 - Estimated engineering and construction cost: \$562,000.
3. *Town Hall or COA are moved to Town property at Standish Way*
- Town Hall and COA are moved to the Town property on Standish Way in the vicinity of the library
 - A storage reservoir is not required. The predicted static pressure and flow: static pressure - 48 psi; flow - 1315 gpm.
 - 6" water main and service from existing 6" water main on the property to Town Hall/COA buildings (200 linear feet)
 - One hydrants is installed in the vicinity of the new buildings
 - Estimated engineering and construction cost: \$5,000.
4. *Town Hall and COA remain at their present location, a water supply is developed at Hopkins Estate.*
- Scenario 1: Storage reservoir at Public Safety Building
- 16" main to existing terminus (13,475 linear feet)
 - 8" water main from Town Hall Road to Town Hall/COA buildings (1800' linear feet)

conducted in parallel with the DEP permitting and, if an EIR is required, could extend these permitting time frames by another year to four years overall. The estimated costs for securing these DEP and MEPA permits and conducting their related field work and engineering is \$250,000, however these costs will vary according to the specific requirements of the MEPA process.

Zone I and II Consistency at Hopkins Estate

Development of a water supply well at the Hopkins Estate will require that the Zone I and Zone II criteria under the Drinking Water Regulations be met.

The Zone I is the protective radius around a wellfield that must be owned by the water supplier or controlled by a conservation restriction. This is a 400' radius for wells pumping greater than 100,000 gpd. Depending on the specific location of the well field on the Hopkins Estate, a conservation restriction need to be placed on Lot 15 of Sheet 51 of the Truro Atlas, located west of the Hopkins Estate, to meet the Zone I criteria.

The Zone II is the area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated. DEP defines this as 180 days of pumping at safe yield with no recharge from precipitation. Until it is delineated and approved, DEP considers an area within ½ mile of the well to be an Interim Zone II. There are restrictions on the activities that can take place within a Zone II, which are to be described as part of zoning controls that the Town would be required to implement as part of the new water source approval.

As part of the new source approval, it will need to be demonstrated that water withdrawals do not impact existing wetlands, surface waters or Areas of Critical Environmental Concern within the Zone II area. The GIS mapping for Truro does not indicate that any of these resource areas exist within the immediate vicinity of the Hopkins Estate. The Pamet River and related wetlands are approximately 1600' north of the property, and the Zone II studies will evaluate whether water withdrawals have an impact on these resources.

The Truro landfill is approximately 1500' south of the property. The Comprehensive Site Assessment prepared as part of the landfill closure

TOWN OF TRURO
MINUTES OF THE BOARD OF HEALTH MEETING
WEDNESDAY, APRIL 21, 1999

The Truro Board of Health conducted a duly held meeting on Wednesday, April 21, 1999 at 6:30 p.m. at the Town Hall Annex, 19 Town Hall Road, Truro. In attendance were: Chairman Gary Palmer, Mark N. Peters, Raymond Leduc, Administrative Secretary Carol A. Nickerson, Gary Maridian, Linda Rogers, and Robert Fitzgerald of Coastal Engineering. Absent: Samuel Armstrong.

Chairman Palmer convened the meeting at 6:30 p.m.

Mr. Leduc moved that the minutes of April 7, 1999 be approved as written. Mr. Peters gave the motion a second. 3-0, unanimous.

Mr. Maridian of Cape Shores Motel, located at 6 Shore Road in North Truro, met with the Board to request a water hook-up. However, it was found that there is a functioning well on the property and the Board informed Mr. Maridian that they cannot approve a hook-up under the conditions set forth in the Policy Memorandum in this matter. Mr. Maridian wondered if the Board would reconsider if the well failed and was told yes, providing that it means he does not have potable water. Mr. Peters moved to reject Mr. Maridian's request for a water hook up for Cape Shores Motel, 6 Shore Road, N. Truro, in that it does not meet the criteria as outlined in Policy Memorandum #24. Mr. Leduc gave the motion a second. 3-0, unanimous.

Mrs. Nickerson then informed the Board that the latest water sample test results for Snow's Field had been forwarded to Town Hall and the results again showed Trichloroethane at 32, Dichloroethane at 1.0, and Chloroform at 1.4. In discussing the results with Sean O'Brien of County Health, he expressed his concern and will be arranging a site visit with Health Agent Jane Crowley. Mr. O'Brien said that the test results are comparable to a property next to a landfill and finds it strange that the readings reflect the above named items.

Through an oversight at a prior meeting, the Board had neglected to take a formal vote on having a public hearing to correct a regulations by amending it, so Mr. Leduc moved that the Board conduct a public hearing and amend Section II Article 2...shall have a Title V System with Vault at 150% of Title V requirements. Mr. Peters gave the motion a second. 3-0, unanimous.

The next item on the agenda had been a request for a variance for Clinton Rule, 20 Tom's Hill Road, Truro. However, a representative from Schofield Brothers contacted Mrs. Nickerson to say that they wished to withdraw their application and that Mr. Rule has decided to move his well.

Next the Board received a request from Robert Holt asking that the Board consider further amending the Board of Health regulations on Tobacco Control by inserting two additional sections: 1) that each employee working in an establishment licensed to sell tobacco products shall be required to read the Board of Health regulations and State Laws regarding the sale of

Option 3: Relocation of the Town Hall to Route 6, next to the Public Safety Facility with a service connection to the Provincetown Water System.

As you are aware, the Provincetown Water Department extended its water main further into the Town of Truro to provide drinking water to the Elementary School. Since that time, the Truro Public Safety Complex Property which fronts the existing water main, has also been provided with a service connection in accordance with the inter-municipal agreement established between the communities. This proposed scenario would be acceptable to the Department, should it be determined that the inter-municipal agreement provides for connection to a relocated Town Hall at this location.

Option 4: Extension of the existing water main on Route 6 to the existing Town Hall Complex.

The Provincetown Water Department is under no obligation to extend it's water main beyond it's existing service area to the existing Truro Town Hall. Such an extension could result in system growth along the length of the new main and thereby cause an increased demand on the system, which currently has a supply shortage.

You have also presented a scenario that warrants some additional comment by this office. As you know, as a result of the proposed Town Hall Complex project, representatives of the Department have had discussions with you relative to the future water supply needs of the lower Cape Cod communities and specifically the needs of the Town of Truro. As has been indicated to you, the Department would strongly recommend that the Town of Truro recognize the need to initiate a water supply planning program in the community, or to perhaps consider water supply planning on a more regional basis. As you know, other communities are moving ahead in this process and it has been suggested that the Town of Truro be included in these ongoing discussions.

In this regard the Department believes that the Town of Truro and other lower cape communities should initiate well siting/exploration programs. An exploration program consists of a review of remaining undeveloped tracts land in your community that could perhaps be utilized to site future municipal water supply sources for identification, installation of test wells and performance of limited testing to determine potential yield and water quality. Sites found to be acceptable to support a municipal well could be secured for water supply use/protection purposes and held in abeyance until the need for municipal supply presented itself. The Department believes the need for a municipal supply to serve certain sections of your community to be inevitable.

Please be advised that the Department is prepared to meet with the you in regards to the subject matter. Should you have any questions concerning this communication, please contact Mr. Michael Quink at (508) 946-2766.

Very truly yours,


Elizabeth A. Koulcheras, Chief
Cape Cod Watershed

K/MQ/bh



TOWN OF TRURO

P.O. Box 2030, TRURO MA 02666

TEL: (508) 349-3635 FAX: (508) 349-7720

July 14, 1999

Mr. Mark McKenzie
East Cape Engineering
Box 1525
Orleans, Massachusetts 02653

Re: Testing At Snows Field, Truro, Massachusetts

Dear Mr. McKenzie:

As discussed on the telephone yesterday, I am forwarding a summary prepared by our Health Agent, Jane Crowley, of the water test results taken in the Snow's Field area.

It is quite complete and we have also included a copy of the Assessors map with the parcels where samples had been taken, marked through color codes.

If I may assist you further, please let me know. Also, please be sure and let me know when the test well will be installed.

Sincerely,

Carol A. Nickerson
Administrative Secretary
Town of Truro

Enclosures

CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory

Report Dated: 10/29/99

Report Prepared For:
 Truro Health Department
 Jane Crowley
 Re: Snows Field
 P O Box 2030
 Truro, MA 02666

Order Number: G9904013

Laboratory ID #: 9904013-01
 Sample #: U655,U654,U662,U656
 Collected by: J.Crowley

Description: Water - Drinking Water
 Sampling Location: Snows Field, Truro

Collected 10/19/99
 Received 10/20/99

EPA 502.2 - Volatile Organics by PID/ECLD

ITEM	RESULT	UNITS	MDL	MCL	Method #	Tested
LAB: GC LAB						
1,1,1,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1,1-Trichloroethane	7.5	ug/L	0.5	200	EPA 502.2	10/20/1999
1,1,2,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1,2-Trichloroethane	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
1,1-Dichloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1-Dichloroethene	BRL	ug/L	0.5	7.0	EPA 502.2	10/20/1999
1,1-Dichloropropene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,3-Trichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,3-Trichloropropane	BRL	ug/L	0.5	70	EPA 502.2	10/20/1999
1,2,4-Trichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,4-Trimethylbenzene	BRL	ug/L	0.5	0	EPA 502.2	10/20/1999
1,2-Dibromo-3-chloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2-Dibromoethane (EDB)	BRL	ug/L	0.5	600	EPA 502.2	10/20/1999
1,2-Dichlorobenzene	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
1,2-Dichloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2-Dichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3,5-Trimethylbenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3-Dichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3-Dichloropropane	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
1,4-Dichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
2,2-Dichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
2-Chlorotoluene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
4-Chlorotoluene	BRL	ug/L	0.5		EPA 502.2	10/20/1999

Superior Court House, P.O. Box 427, Barnstable, MA 02630 Ph: 508-375-6605



CERTIFICATE OF ANALYSIS

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Barnstable County Health Laboratory

Report Prepared For:

Report Dated: 4/9/99

Truro Health Department

Order Number: G9901823

Jane Crowley

P O Box 2030

Truro

MA 02666

RECEIVED

Laboratory ID #: 9901823-01

Description: WATER

Sample #: Q907 & Q913

Sampling Location: Snows Field, Truro

Collected 4/6/99

Collected by: J. Crowley

Received 4/7/99

EPA 524.2 - Volatile Organics by GC/MS

ITEM	RESULT	UNITS	MDL	MCL	Method #	Tested
<i>LAB: GC/MS</i>						
1,1,1,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,1,1-Trichloroethane	22	ug/L	0.5	200	EPA 524.2	04/07/1999
1,1,2,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,1,2-Trichloroethane	BRL	ug/L	0.5	5.0	EPA 524.2	04/07/1999
1,1-Dichloroethane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,1-Dichloroethene	BRL	ug/L	0.5	7.0	EPA 524.2	04/07/1999
1,1-Dichloropropene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,2,3-Trichlorobenzene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,2,3-Trichloropropane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,2,4-Trichlorobenzene	BRL	ug/L	0.5	70	EPA 524.2	04/07/1999
1,2,4-Trimethylbenzene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,2-Dibromo-3-chloropropa	BRL	ug/L	0.5	0	EPA 524.2	04/07/1999
1,2-Dibromoethane (EDB)	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,2-Dichlorobenzene	BRL	ug/L	0.5	600	EPA 524.2	04/07/1999
1,2-Dichloroethane	BRL	ug/L	0.5	5.0	EPA 524.2	04/07/1999
1,2-Dichloropropane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,3,5-Trimethylbenzene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,3-Dichlorobenzene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,3-Dichloropropane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
1,4-Dichlorobenzene	BRL	ug/L	0.5	5.0	EPA 524.2	04/07/1999
2,2-Dichloropropane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
2-Chlorotoluene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
4-Chlorotoluene	BRL	ug/L	0.5		EPA 524.2	04/07/1999



CERTIFICATE OF ANALYSIS

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Barnstable County Health Laboratory

Report Prepared For:
Truro Health Department
Jane Crowley
P O Box 2030
Truro MA 02666

Report Dated: 4/9/99

Order Number: G9901823

APPROVED

Laboratory ID #:	9901823-01	Description:	WATER			
Sample #:	Q907 & Q913	Sampling Location:	Snows Field, Truro			
Collected by:	J. Crowley					Collected 4/6/99
						Received 4/7/99
tert-Butylbenzene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
Tetrachloroethene	BRL	ug/L	0.5	5.0	EPA 524.2	04/07/1999
Toluene	0.5	ug/L	0.5	200	EPA 524.2	04/07/1999
Total xylenes	BRL	ug/L	0.5	10000	EPA 524.2	04/07/1999
trans-1,2-Dichloroethene	BRL	ug/L	0.5	100	EPA 524.2	04/07/1999
trans-1,3-Dichloropropene	BRL	ug/L	0.5		EPA 524.2	04/07/1999
Trichloroethene	BRL	ug/L	0.5	5.0	EPA 524.2	04/07/1999
Trichlorofluoromethane	BRL	ug/L	0.5		EPA 524.2	04/07/1999
Vinyl chloride	BRL	ug/L	0.5	2.0	EPA 524.2	04/07/1999

Approved By:

(Lab Director)

4/9/99

1,1,1 - TRICHLOROETHANE

GENERAL INFORMATION

Synonyms: 1,1,1-TCA, Methyl Chloroform, Methyl Trichloroethane

Uses:

- o Mainly used in the cleaning and degreasing of metal parts.
- o Used in the synthesis of other organic chemicals, as a spot and stain remover, as an additive to inks or shoe polish, and as an additive in metal cutting oils.

Environmental Exposure Sources:

- o 1,1,1-TCA is a synthetic chemical with no natural sources.
- o The major source of 1,1,1-TCA released to the environment is from its use as a metal parts degreaser. Most releases are to the atmosphere through evaporation. 1,1,1-TCA which does not evaporate becomes laden with greases and oils which may be disposed of in landfills, sewers or by dumping on the ground.
- o Because metalworking operations are found nationwide, releases of 1,1,1-TCA are found in all industrialized areas.
- o 1,1,1-TCA degrades slowly in air with an estimated half-life of from one to eight years. Discharges to surface waters can be expected to migrate to the atmosphere in a few days or weeks.
- o 1,1,1-TCA released on the land is not well absorbed by the soil and will readily migrate to the ground water. In water, it will degrade fairly slowly with an estimated half-life of about six months.
- o 1,1,1-TCA is a fairly common contaminant in waters which have been shown to contain organic substances with ground water showing the higher levels which have been observed.
- o The major sources of human exposure are from contaminated water and, to a lesser extent, air. Food is a negligible source.
- o Inhalation of 1,1,1-TCA vapor is the common route of entry into the body. It is also occasionally ingested where it can be rapidly absorbed from the gastrointestinal tract.
- o While inhalation of 1,1,1-TCA vapor through the lungs is the common route of entry into the body, 1,1,1-TCA also is absorbed readily and completely from the gastrointestinal tract, and can be absorbed through skin.

TOWN OF TRURO
MINUTES OF THE BOARD OF HEALTH MEETING
WEDNESDAY, APRIL 21, 1999

The Truro Board of Health conducted a duly held meeting on Wednesday, April 21, 1999 at 6:30 p.m. at the Town Hall Annex, 19 Town Hall Road, Truro. In attendance were: Chairman Gary Palmer, Mark N. Peters, Raymond Leduc, Administrative Secretary Carol A. Nickerson, Gary Maridian, Linda Rogers, and Robert Fitzgerald of Coastal Engineering. Absent: Samuel Armstrong.

Chairman Palmer convened the meeting at 6:30 p.m.

Mr. Leduc moved that the minutes of April 7, 1999 be approved as written. Mr. Peters gave the motion a second. 3-0, unanimous.

Mr. Maridian of Cape Shores Motel, located at 6 Shore Road in North Truro, met with the Board to request a water hook-up. However, it was found that there is a functioning well on the property and the Board informed Mr. Maridian that they cannot approve a hook-up under the conditions set forth in the Policy Memorandum in this matter. Mr. Maridian wondered if the Board would reconsider if the well failed and was told yes, providing that it means he does not have potable water. Mr. Peters moved to reject Mr. Maridian's request for a water hook up for Cape Shores Motel, 6 Shore Road, N. Truro, in that it does not meet the criteria as outlined in Policy Memorandum #24. Mr. Leduc gave the motion a second. 3-0, unanimous.

Mrs. Nickerson then informed the Board that the latest water sample test results for Snow's Field had been forwarded to Town Hall and the results again showed Trichloroethane at 32, Dichloroethane at 1.0, and Chloroform at 1.4. In discussing the results with Sean O'Brien of County Health, he expressed his concern and will be arranging a site visit with Health Agent Jane Crowley. Mr. O'Brien said that the test results are comparable to a property next to a landfill and finds it strange that the readings reflect the above named items.

Through an oversight at a prior meeting, the Board had neglected to take a formal vote on having a public hearing to correct a regulations by amending it, so Mr. Leduc moved that the Board conduct a public hearing and amend Section II Article 2...shall have a Title V System with Vault at 150% of Title V requirements. Mr. Peters gave the motion a second. 3-0, unanimous.

The next item on the agenda had been a request for a variance for Clinton Rule, 20 Tom's Hill Road, Truro. However, a representative from Schofield Brothers contacted Mrs. Nickerson to say that they wished to withdraw their application and that Mr. Rule has decided to move his well.

Next the Board received a request from Robert Holt asking that the Board consider further amending the Board of Health regulations on Tobacco Control by inserting two additional sections: 1) that each employee working in an establishment licensed to sell tobacco products shall be required to read the Board of Health regulations and State Laws regarding the sale of



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory (M-MA009)

46-245

Recipient: Emily Beebe, Health Agent
 Truro Health Dept-Misc.
 P O Box 2030
 Truro, MA 02666

Order No.: G20118646
Report Dated: 03/05/2020
Submitter: Emily Beebe
Description: RE Kit - 14 Snow's Field Rd.

Laboratory ID#: 20118646-01

Sample #:
Collection Address: 14 Snows Field Rd. Truro, MA
Sample Location: M 46 P 245

Matrix: Water - Drinking Water
Sampled: 03/03/2020 8:28 By: Ad
Received: 03/03/2020 12:10 By:
Turn Around: 48 Hr Rush

Routine

<u>ITEM</u>	<u>RESULT</u>	<u>UNITS</u>	<u>RL</u>	<u>MCL</u>	<u>METHOD.#</u>	<u>ANALYST</u>	<u>TESTED</u>	<u>TIME</u>
Nitrate as Nitrogen	0.38	mg/L	0.10	10	EPA 300.0	CL	03/04/2020	
Copper	0.58	mg/L	0.10	1.3	EPA 200.8	CL	03/05/2020	11:59
Iron	ND	mg/L	0.10	0.3	EPA 200.8	CL	03/05/2020	11:59
pH	6.5	PH AT 25C	NA	6.5-8.5	SM 4500-H-B	CL	03/03/2020	16:28
Sodium	17	mg/L	2.5	20	EPA 200.8	CL	03/05/2020	11:58
Total Coliform	Absent	P/A	0	0	SM 9223B	RG	03/03/2020	15:35
Conductance	150	umohs/cm	2.0		EPA 120.1	yn	03/03/2020	

Based on the results of the parameters tested, the water is suitable for drinking.

Attached please find the laboratory certified parameter list.

Approved By:
 (Lab Manager)

ND = None Detected

RL = Reporting Limit

MCL = Maximum Contaminant Level

3195 Main Street, PO. Box 427, Barnstable, MA 02630 Ph: 508-375-6605

Page: 1 of 1



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory (M-MA009)

Report Prepared For:
 Pat Pajoran
 Truro Health Dept-Msc
 P O Box 2030
 Truro, MA 02666



Order No.: G1587820

Laboratory ID #: 1587820-01

Sample #:
Collected by: P. Pajoran

Description: Water - Drinking Water
Sample Location: 14 Snows Field Rd. Truro, MA
 Map 46 Parcel 245

Collected: 06/25/2015
Received: 06/25/2015

Routine

<u>ITEM</u>	<u>RESULT</u>	<u>UNITS</u>	<u>RL</u>	<u>MCL</u>	<u>METHOD#</u>	<u>ANALYST</u>	<u>TESTED</u>	<u>NOTE</u>
Nitrate as Nitrogen	0.51	mg/L	0.10	10	EPA 300.0	LAP	6/25/2015	
Copper	0.10	mg/L	0.10	1.3	SM 3111B	LAP	6/26/2015	
Iron	ND	mg/L	0.10	0.3	SM 3111B	LAP	6/26/2015	
pH	6.2	PH AT 25C	NA	6.5-8.5	SM 4500-H-B	DCB	6/25/2015	
Sodium	23	mg/L	2.5	20	SM 3111B	LAP	6/26/2015	
Total Coliform	Absent	P/A	0	0	SM 9223	RG	6/25/2015	
Conductance	210	umohs/cm	2.0		EPA 120.1	DCB	6/25/2015	

Sodium level is above the maximum contaminant level. Those on a low sodium diet may wish to consult a physician.

Attached please find the laboratory certified parameter list.

Approved By: *[Signature]*
 (Lab Director)
 6/30/2015



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory (M-MA009)

Report Prepared For:
 Pat Pajoran, Re: Mary Maffia
 Truro Health Dept-Msc
 P O Box 2030
 Truro, MA 02666

Report Dated: 10/23/2013

Order No.: G1377475

Laboratory ID #: 1377475-01

Description: Water - Drinking Water
Sample Location: 14 Snows Field Road, Truro
 Map&Parcel 46-245

Collected: 10/09/2013
Received: 10/09/2013

Sample #:
Collected by: customer

Routine

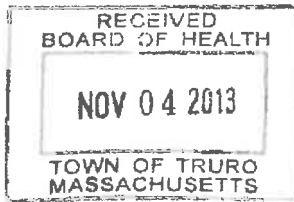
ITEM	RESULT	UNITS	RL	MCL	METHOD #	TESTED
Nitrate as Nitrogen	0.52	mg/L	0.10	10	EPA 300.0	10/9/2013
Copper	ND	mg/L	0.10	1.3	SM 3111B	10/11/2013
Iron	ND	mg/L	0.10	0.3	SM 3111B	10/11/2013
pH	6.4	PH AT 25C	NA	6.5-8.5	SM 4500-H-B	10/9/2013
Sodium	20	mg/L	2.5	20	SM 3111B	10/11/2013
Total Coliform	Absent	P/A	0	0	SM9223	10/9/2013
Conductance	160	umohs/cm	2.0		EPA 120.1	10/9/2013

Sodium level is at the maximum contaminant level. Those on a low sodium diet may wish to consult a physician.

Attached please find the laboratory certified parameter list.

Approved By:
 (Lab Director)

Pat Pajoran, Director
 10/24/2013



ND = None Detected

RL = Reporting Limit

MCL = Maximum Contaminant Level

Superior Court House, P.O. Box 427, Barnstable, MA 02630 Ph: 508-375-6605



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory (M-MA009)

Page: 1

Report Prepared For:

Report Dated: 6/3/2011

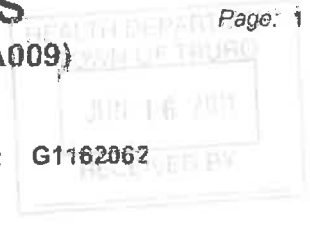
Patricia Pajaron

Truro WROC

P O Box 2030

Truro, MA 02666

Order No.: G1162062



Laboratory ID #: 1162062-01

Description: Water - Drinking Water

Sample #:

Sample Location: 14 Snows Field Rd

Collected 5/25/2011

Collected by: Customer

46-245

Received 5/25/2011

Routine

ITEM	RESULT	UNITS	RL	MCL	METHOD #	TESTED
Nitrate as Nitrogen	0.73	mg/L	0.10	10	EPA 300.0	5/25/2011
Copper	ND	mg/L	0.10	1.3	SM 3111B	5/26/2011
Iron	ND	mg/L	0.10	0.3	SM 3111B	5/26/2011
pH	6.4	PH AT 25C	NA	6.5-8.5	SM 4500-H-B	5/25/2011
Sodium	18	mg/L	1.0	20	SM 3111B	5/26/2011
Total Coliform	Absent	P/A	0	0	SM9223	5/25/2011
Conductance	140	umohs/cm	2.0		EPA 120.1	5/25/2011

Water sample meets the recommended limits for drinking water of all the above tested parameters.

Attached please find the laboratory certified parameter list.

Approved By

[Signature]
(Lab. Director)

6/3/2011

ND = None Detected

RL = Reporting Limit

MCL = Maximum Contaminant Level

Superior Court House, PO. Box 427, Barnstable, MA 02630 Ph: 508-375-6605



CERTIFICATE OF ANALYSIS

Barnstable County Health Laboratory

Report Dated: 10/20/99

46-245

Report Prepared For:

Truro Health Department
Jane Crowley
Re: CCNS Distrp. Samples
P O Box 2030
Truro, MA 02666

Order Number: G9904013

Laboratory ID #: 9904013-01	Description: Water - Drinking Water	Collected 10/19/99
Sample #: U655,U654,U662,U656	Sampling Location: Snows Field, Truro	Received 10/20/99
Collected by: J.Crowley		

EPA 502.2 - Volatile Organics by PID/ECLD

<u>ITEM</u>	<u>RESULT</u>	<u>UNITS</u>	<u>MDL</u>	<u>MCL</u>	<u>Method #</u>	<u>Tested</u>
LAB: GC LAB						
1,1,1,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1,1-Trichloroethane	7.5	ug/L	0.5	200	EPA 502.2	10/20/1999
1,1,2,2-Tetrachloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1,2-Trichloroethane	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
1,1-Dichloroethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,1-Dichloroethene	BRL	ug/L	0.5	7.0	EPA 502.2	10/20/1999
1,1-Dichloropropene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,3-Trichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,3-Trichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2,4-Trichlorobenzene	BRL	ug/L	0.5	70	EPA 502.2	10/20/1999
1,2,4-Trimethylbenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2-Dibromo-3-chloropropane	BRL	ug/L	0.5	0	EPA 502.2	10/20/1999
1,2-Dibromoethane (EDB)	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,2-Dichlorobenzene	BRL	ug/L	0.5	600	EPA 502.2	10/20/1999
1,2-Dichloroethane	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
1,2-Dichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3,5-Trimethylbenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3-Dichlorobenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,3-Dichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
1,4-Dichlorobenzene	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
2,2-Dichloropropane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
2-Chlorotoluene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
4-Chlorotoluene	BRL	ug/L	0.5		EPA 502.2	10/20/1999



CERTIFICATE OF ANALYSIS

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Barnstable County Health Laboratory

Report Dated: 10/20/99

Report Prepared For:

Truro Health Department

Jane Crowley

Re: CCNS Distrp. Samples

P O Box 2030

Truro, MA 02666

Order Number: G9904013

Laboratory ID #:	9904013-01	Description:	Water - Drinking Water			
Sample #:	U655,U654,U662,U656	Sampling Location:	Snows Field, Truro			
Collected by:	J.Crowley	Collected	10/19/99		Received	10/20/99
tert-Butylbenzene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
Tetrachloroethene	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
Toluene	BRL	ug/L	0.5	200	EPA 502.2	10/20/1999
Total xylenes	BRL	ug/L	0.5	10000	EPA 502.2	10/20/1999
trans-1,2-Dichloroethene	BRL	ug/L	0.5	100	EPA 502.2	10/20/1999
trans-1,3-Dichloropropene	BRL	ug/L	0.5		EPA 502.2	10/20/1999
Trichloroethene	BRL	ug/L	0.5	5.0	EPA 502.2	10/20/1999
Trichlorofluoromethane	BRL	ug/L	0.5		EPA 502.2	10/20/1999
Vinyl chloride	BRL	ug/L	0.5	2.0	EPA 502.2	10/20/1999

Thomas F. Bannan
10/20/99

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Office of the Board
of Selectmen of the
Town of Truro

ORDER OF TAKING BY EMINENT DOMAIN
OF LAND IN TRURO, BARNSTABLE COUNTY, MASSACHUSETTS

BY

THE BOARD OF SELECTMEN OF SAID TOWN OF TRURO FOR THE
PURPOSE OF ACQUIRING A SITE FOR THE POTENTIAL CONSTRUCTION
OF A POLICE STATION AND/OR FIRE STATION, AND FOR OTHER
LAWFUL, FUTURE TOWN USES

We, RICHARD P. KEATING, BRUCE TARVERS, and ROBERT
MARTIN, the duly elected and qualified Selectmen of the Town
of Truro, a municipal corporation situated in the County of
Barnstable and Commonwealth of Massachusetts, acting under
the authority of the vote taken at the 1990 Special Town
Meeting held on June 5, 1990, which vote was pursuant to
ARTICLE 1 of said warrant and, further, under the authority
conferred on us by the General Laws, Chapter 79 and Acts in
amendment thereof and in addition thereto, and by virtue of
every other power conferred on us by law, having duly
complied with all the preliminary requirements prescribed by
law do hereby ADOPT and DECREE this Order of Taking and do
hereby TAKE by Eminent Domain as above set forth, on behalf
of said Town of Truro, in fee simple, for the purpose of
acquiring a site for the potential construction of a police
station and/or fire station, and for other lawful, future

Company and New England Telephone and Telegraph Company, dated June 13, 1972, and recorded at said Registry of Deeds in book 1668, Page 27.

Any trees, buildings or structures, and the contents therein, on the property taken hereby are included in this Order of Taking.

See the certified copy of the Vote of the Town of Truro authorizing this taking attached hereto.

The name of the owner, his title reference, and others with interest in this property are shown on Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, we the undersigned, duly authorized Selectmen of the Town of Truro, have ADOPTED and DECREED this Order of Taking and caused the corporate seal of said Town of Truro to be affixed hereto this 18 day of June, 1990.

BOARD OF SELECTMEN
TOWN OF TRURO

By: 
RICHARD P. KEATING

By: 
BRUCE RIVERS

By: 
ROBERT MARTIN

ENCLOSURE

<u>OWNER OF RECORD</u>	<u>TITLE REF.</u>	<u>TAKING AWARD</u>
William E. Dacey III Trustee of Truro Plaza Nominee Trust, under Declaration of Trust dated May 12, 1986, of 888 Old Stage Road, Centerville MA 02632	Book 5071 Page 8	\$490,000
Mortgagees: Connecticut National Bank, One Church Street New Haven, CT 06510	Book 5071 Page 11 and Book 7037 Page 65	
Martin J. O'Malley Trustee of Geneva Mortgage Trust II P. O. Box 759 Hyannis, MA 02601	Book 5773 Page 59	

Decision of the Board of Appeals of Truro, Massachusetts

Property Owner: TOWN OF TRURO, by DONALD HOLTZ, m/c/hr. of TOWN BLDG. COMMITTEE

Property Location: RTE 6 and PARKER DR.

Atlas Sheet: 39 Parcel: 172 Hearing Date: NOV. 16 1992/DEC. DATE: 11/23/92

Special Permit Variance Building Commissioner/Decision Other Vote: 4 Approve 1 Disapprove

For Purposes of: A Special Permit (pursuant to Section IX-A-5-D) is granted to the Town of Truro, through its Agent, Donald Holtz, Chairman of the Town Building Committee, for property located at Rte. 6 & Parker Dr., for the purpose of constructing a new police/fire facility according to plans submitted to the Building Commissioner of Truro. The new building will have a maximum ridge height of 38 ft. above grade in the apparatus bay, and Findings/Conditions: between 30 ft. and 32 ft. in the main building.

CONDITIONS AND FINDINGS:

1) A Truro Town Building Committee was appointed with the approval of Town Meeting (Dec. 13, 1988) in order to work with architects and engineers on the design of a new Fire-Rescue-Police facility. Numerous public meetings were held, and as the design procedure advanced, a floor plan and elevations were presented for public inspection. These floor plans and elevations, done to scale, noted all the pertinent dimensions except for the overall height of the structure. That height, however, was not misrepresented in the scaled drawings, and according to the testimony of the Architects and the Building Committee, the omission of that dimension on the scaled elevations was inadvertent. At no time in the planning period did anyone question the height of the building either to the Building Committee or to the Architects.

(continued on attached pg. 2)

I hereby certify this as a true and correct record of the Board of Appeals.

Signature: [Handwritten Signature] Date: 11/23/92

Town Clerk Signature: [Handwritten Signature] Date: November 30, 1992

I hereby certify this decision was filed with the Office of the Town Clerk on November 30, 1992 and a copy has been made since the date of filing.

Signature: [Handwritten Signature] Date: December 22, 1992

NOTE: Any person aggrieved by a decision of the Board of Appeals may appeal to the Superior or land court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Mass. General Laws Chapter 40A Section 17)

A COPY OF THIS DECISION MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT

Cynthia A. Slade, Town Clerk, Town of Truro / December 22, 1992

A true copy, attested: [Handwritten Signature]



BOARD OF APPEALS

TRURO, MASS.

-3-

TOWN OF TRURO - TOWN BUILDING COMMITTEE -- DECISION OF 11/23/92
(HEARING OF 11/16/92)

CONDITIONS AND FINDINGS (Con't)

9) The Board finds that the granting of this Special Permit, with the limitations noted, is in harmony with the general purpose of the bylaw. The Board also finds that in granting this Special Permit for a Fire-Rescue-Police building, a municipal structure, it sets no precedent for any future height exception, either residential commercial or municipal.

10) In granting this permit, the Board finds that present and future municipal needs of the Town of Truro, as well as the special requirements for the storage and maintenance and use of technical equipment, together constitute unique circumstances in this petition for relief.

11) The Board includes by reference a three-page submission filed with the Board of Appeals by the Town Building Committee, dated November 18, 1992, and entitled: "Summary of Request for Special Permit."

Cynthia A. Slade, Town Clerk, Town of Truro/ December 22, 1992



11/23/92
Date

A true copy, attested

RECORDED JAN 13 93

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Office of the Board
of Selectmen of the
Town of Truro

ORDER OF TAKING BY EMINENT DOMAIN
OF LAND IN TRURO, BARNSTABLE COUNTY, MASSACHUSETTS

BY

THE BOARD OF SELECTMEN OF SAID TOWN OF TRURO FOR THE
PURPOSE OF ACQUIRING A SITE FOR THE POTENTIAL CONSTRUCTION
OF A POLICE STATION AND/OR FIRE STATION, AND FOR OTHER
LAWFUL, FUTURE TOWN USES

We, RICHARD P. KEATING, BRUCE TARVERS, and ROBERT
MARTIN, the duly elected and qualified Selectmen of the Town
of Truro, a municipal corporation situated in the County of
Barnstable and Commonwealth of Massachusetts, acting under
the authority of the Vote taken at the 1990 Special Town
Meeting held on June 5, 1990, which vote was pursuant to
ARTICLE 1 of said warrant and, further, under the authority
conferred on us by the General Laws, Chapter 79 and Acts in
amendment thereof and in addition thereto, and by virtue of
every other power conferred on us by law, having duly
complied with all the preliminary requirements prescribed by
law do hereby ADOPT and DECREE this Order of Taking and do
hereby TAKE by Eminent Domain as above set forth, on behalf
of said Town of Truro, in fee simple, for the purpose of
acquiring a site for the potential construction of a police
station and/or fire station, and for other lawful, future

town uses, the parcel of land in Truro, Barnstable County, Massachusetts, bounded and described as follows:

NORTHEASTERLY	Five hundred fifty-five and 60/100 (155.60) feet by Mass State Highway Route 6;
SOUTHEASTERLY	Five hundred twenty-one and 34/100 (521.34) feet by land now or formerly of Cape Cod Realty and Building Company;
SOUTHWESTERLY	An arc distance of Five hundred thirteen and 79/100 (513.79) feet by Lot 3 as shown on said plan; and
WESTERLY NORTHWESTERLY and NORTHERLY	Five hundred sixty-five and 66/100 (565.66) feet by Parker Drive.

Containing approximately 6.744 acres more or less and being shown as Lot 1 on a plan of land entitled "Subdivision Plan of Land in Truro, Mass. as prepared for Miriam A. Fowler, Scale 1 in. = 120 feet. June 1968, Schofield Brothers Registered Civil Engineers & Land Surveyors, Orleans & Framingham, Mass." Said plan being recorded as Plan B in Tube 34 at the Barnstable County Registry of Deeds.

This taking is subject to an easement granted to Cape & Vineyard Electric Company and New England Telephone and Telegraph Company, dated December 9, 1971 and recorded with the Barnstable Registry of Deeds in Book 1570, Page 261, and an easement granted to New Bedford Gas and Edison Light

Company and New England Telephone and Telegraph Company, dated June 13, 1972, and recorded at said Registry of Deeds in Book 1668, Page 27.

Any trees, buildings or structures, and the contents therein, on the property taken hereby are included in this Order of Taking.

See the certified copy of the Vote of the Town of Truro authorizing this taking attached hereto.

The name of the owner, his title reference, and others with interest in this property are shown on Exhibit "A" attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, we the undersigned, duly authorized Selectmen of the Town of Truro, have ADOPTED and DECREED this Order of Taking and caused the corporate seal of said Town of Truro to be affixed hereto this 18 day of June, 1990.

BOARD OF SELECTMEN
TOWN OF TRURO

By: 
RICHARD P. KEATING

By: 
BRUCE CARVERS

By: 
ROBERT MARTIN

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

June 14, 1990

Then personally appeared the above-named RICHARD P. KEATING, and acknowledged the foregoing instrument to be his free act and deed, as he is a member of the Board of Selectmen of the Town of Truro, before me,

D. S. H. T. E. J.
Notary public

My commission expires: 10/19/90



EXHIBIT A

<u>OWNER OF RECORD</u>	<u>TITLE REF.</u>	<u>TAKING AWARD</u>
William E. Dacey III Trustee of Truro Plaza Nominee Trust, under Declaration of Trust dated May 12, 1986, of 888 Old Stage Road, Centerville MA 02632	Book 5071 Page 8	\$490,000
Mortgagees: Connecticut National Bank, One Church Street New Haven, CT 06510	Book 5071 Page 11 and Book 7037 Page 65	
Martin J. O'Malley Trustee of Geneva Mortgage Trust II P. O. Box 759 Hyannis, MA 02601	Book 5773 Page 59	

OFFICE OF
TOWN CLERK
TREASURER - COLLECTOR OF TAXES
TOWN OF TRURO, MA 02666

SPECIAL TOWN MEETING, JUNE 5, 1990

ARTICLE 1. Voted: to rescind Article 2 in its entirety as voted at Special Town Meeting, April 18, 1990, and voted to authorize the Board of Selectmen to acquire by purchase or by gift or to take by eminent domain under Massachusetts General Laws Chapter 79 or any other enabling authority, for the purpose of acquiring a site for the potential construction of a Police Station and/or Fire Station and for other, lawful, future Town uses, the real property which is located on Route 6 within the Town of Truro, which is known as the Lena's Motel property, which consists of approximately 6.744 acres, and which is described in the May 12, 1986 deed, recorded in Barnstable Registry of Deeds Book 5071, Page 008, to William E. Dacey III as the Trustee of the Truro Plaza Nominee Trust; to appropriate the sum of \$495,000.00 for the land acquisition costs, including incidental and related expenses and costs such as tax awards and financing costs; to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$495,000.00 under and pursuant to Massachusetts General Laws, Chapter 44, Section 7 or any other enabling authority and to issue bonds and notes of the Town therefor in order to raise this appropriation; to solicit, accept, and expend any funds which may be provided by the Commonwealth or any other source to defray a portion of the costs of acquiring this property, provided that the amount of bonds and notes authorized hereunder shall be reduced by the amount of any such grant received prior to the sale of such bonds and notes.

So voted and aye vote - 115 YES/ 14 NO

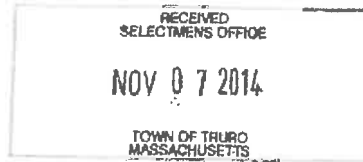

Cynthia A. ...
Town Clerk of Truro
June 6, 1990

RECORDED JUN 18 90



**Massachusetts
Housing
Partnership**

November 5, 2014



Charleen Greenhalgh, Planner
Town of Truro
Carl Brotman, Chair
Truro Housing Authority
P.O. Box 2030
Truro, MA 02666

RE: 340 Route 6, Truro

Dear Charleen and Carl:

Enclosed please find the site report and existing conditions plan prepared by J.M. O'Reilly & Associates on the 340 Route 6 site. The report identifies some concerns and site constraints that will need to be discussed before proceeding to disposition of the land for affordable housing.

I look forward to meeting with you to discuss the next steps.

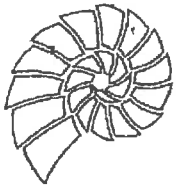
Sincerely,

Laura F. Shufelt
Community Assistance Manager

160 Federal Street
Boston, Massachusetts 02110
Tel: 617-330 9955
Fax: 617-330-1919

462 Main Street
Amherst, Massachusetts 01002
Tel: 413-253-7379
Fax: 413-253-3002

www.mhp.net



J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

October 31, 2014

Ms. Laura F. Shufelt
Community Assistance Manager
Massachusetts Housing Partnership (MHP)
160 Federal Street
Boston, MA 02110

e-mail: LShufelt@mhp.net

RE: **Project Memo**
340 Route 6
Truro, MA

43560
2.693

300680
1519400

Dear Ms. Shufelt,

As per our contract, Schedule A – Services tasks #5 & #6, J.M. O'Reilly & Associates, Inc. has completed a review of initial development feasibility and constraints for the property located at 340 Route 6, Truro, Massachusetts.

Property Description:

The property is located along Massachusetts Highway – Route 6 directly south of the Town of Truro Public Safety Building. The property, identified on Truro Assessor's Map 39 Parcel 323, contains 2.693± acres. The property is currently an undeveloped sloping vegetated lot. The vegetation is made up of "scrub" pine and oak trees which is typical for the area.

The immediately surrounding area is developed with a mixture of residential properties (to the south and west) and municipal uses (to the north). The locus property is located in the General Business Route 6 Zone, per the Town of Truro Zoning Map.

Soil Conditions:

The property is located within the Wellfleet Plain Deposits (per Geologic Map of Cape Cod and the Islands, Massachusetts – 1986). The property is mapped with a Carver Coarse Sand (CdA) area as identified on the Barnstable County Soil Survey, 1993.

Ground Water:

Groundwater in the area is approximately 7' above mean sea level (Per Cape Cod Water Table Contours and Public Water Supply Protection Areas Map dated September 1995 produced by the Cape Cod Commission Water Resources Office). Existing Grade on the site varies anywhere from EL=70 to EL=100 (per USGS Maps). Based on this information groundwater is estimated to be greater than 60' below grade. Subject to confirmation, this should allow structures with full basements as well as traditional, non "mounded" septic systems.

Sewage System:

Based on the above referenced ground water, soil conditions and the development of abutting properties, the locus property is believed to be able to support an onsite sewage disposal system. This can be confirmed by conducting soil testing onsite. Since the locus property is located within the Zone II of a public water supply well, development is limited to 1 bedroom per 10,000 square feet of lot

Site Plan:

As requested, J.M. O'Reilly & Associates, Inc. completed an Existing Conditions Plan which is included as one of the enclosures with this Project Memo.

Please do not hesitate to contact us if you have any further questions.

Very Truly Yours,
J.M. O'Reilly & Associates, Inc.



Keith E. Fernandes, P.E.
Civil Engineer

Encl:

Existing Conditions Plan

NHESP Letter

E-mail From Provincetown Water Superintendent



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

MassWildlife

Wayne F. MacCallum, *Director*

October 29, 2014

Keith Fernandes
J. M. O'Reilly & Associates, Inc
P.O. Box 1773
1573 Main St
Brewster MA 02631

RE: Project Location: 340 Route 6
Town: TRURO
NHESP Tracking No.: 14-33706

To Whom It May Concern:

Thank you for contacting the Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife (the "Division") for information regarding state-listed rare species in the vicinity of the above referenced site. Based on the information provided, this project site, or a portion thereof, is located within *Priority Habitat 15* (PH 15) and *Estimated Habitat 79* (EH 79) as indicated in the *Massachusetts Natural Heritage Atlas* (13th Edition). Our database indicates that the following state-listed rare species have been found in the vicinity of the site:

<u>Common Name</u>	<u>Scientific name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
Eastern Box Turtle	<i>Terrapene carolina</i>	Reptile	Special Concern
Eastern Spadefoot	<i>Scaphiopus holbrookii</i>	Amphibian	Threatened
Gerhard's Underwing Moth	<i>Catocala herodias gerhardi</i>	Butterflies and Moths	Special Concern
Coastal Swamp Metarranthis Moth	<i>Metarranthis pilosaria</i>	Butterflies and Moths	Special Concern

The species listed above are protected under the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). State-listed wildlife are also protected under the state's Wetlands Protection Act (WPA) (M.G.L. c. 131, s. 40) and its implementing regulations (310 CMR 10.00). Fact sheets for most state-listed rare species can be found on our website (www.mass.gov/nhesp).

Please note that projects and activities located within Priority and/or Estimated Habitat must be reviewed by the Division for compliance with the state-listed rare species protection provisions of MESA (321 CMR 10.00) and/or the WPA (310 CMR 10.00).

Wetlands Protection Act (WPA)

If the project site is within Estimated Habitat and a Notice of Intent (NOI) is required, then a copy of the NOI must be submitted to the Division so that it is received at the same time as the local conservation commission. If the Division determines that the proposed project will adversely affect the actual Resource Area habitat of state-protected wildlife, then the proposed project may not be permitted (310 CMR 10.37, 10.58(4)(b) & 10.59). In such a case, the project proponent may request a consultation with the www.mass.gov

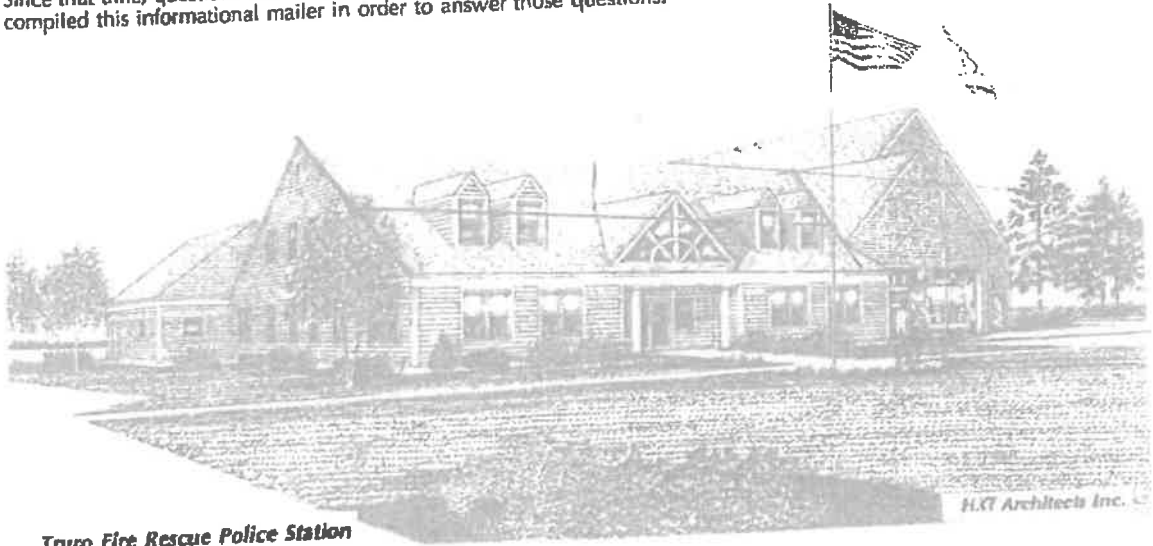
Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890
An Agency of the Department of Fish and Game

A Memo from the Town Building Committee

The picture below shows the proposed design of the new Fire Rescue and Police station. At Town Meeting in the spring of 1992, the Town Building Committee was authorized to proceed to implement this design with final plans and specifications for construction.

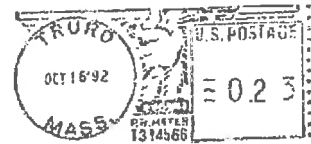
Since that time, questions have arisen about the height of the proposed building. The Town Building Committee has compiled this informational mailer in order to answer those questions.



Truro Fire Rescue Police Station

Town Building Committee
Town Hall
Truro, MA 02666

PRESORTED
FIRST-CLASS



Boxholder

617-776-6545

the village of West Barnstable. Located in a sensitive historic district, the station is designed with wood shingles and with Cape-style roof lines. Like most fire stations we visited, the roof was high -- in this case 38 feet. As in Truro, a Special Permit was required for this height, but the results seem well worth it, because the building resembles the clusters of houses and barns typical of the area around it.

A few Truro citizens have objected to the height of the building. Exhibit 4 shows the height of the roof as designed. Exhibit 5 indicates the relative amount of roof which is over the 30 foot limit.

When the design of the Fire Rescue Police station was being developed, we looked at alternatives for the roofs. It was clear that a flat roof was inappropriate. Roofs with very low pitches, often seen on industrial or metal buildings, were looked at and discarded as not Cape-like. Various designs were evaluated, and the roofs with pitches that began to approximate Cape proportions were the most satisfying. As the design was presented in model form, in elevations and perspective drawings, the general response was very favorable, in large part because the proportions felt right.

We also felt that it would be helpful to break up the bulk of the apparatus wing -- the "barn" part of the building, as seen from the highway. To make the height less imposing, the facade was stepped back, with a lower section in front at the height of the office roof.

Using the minimum traditional roof pitch for the apparatus wing of 9:12 pushed the height of the ridge over the 30 foot standard in the Truro zoning by-law. The by-law anticipates this, and accordingly allows buildings to exceed this height by Special Permit from the Board of Appeals. This process recognizes that there are special cases where the additional height is appropriate, such as a town hall, a church, a barn. In fact, there are buildings in Truro which are well over the 30 foot height -- the main wing of the School, churches, the Town Hall, and barns such as Horton's, Edgewood and Mulberry Farms and Snow's (now Castle Hill).



Exhibit 4: *Front Elevation of Station with Roof Heights Indicated*

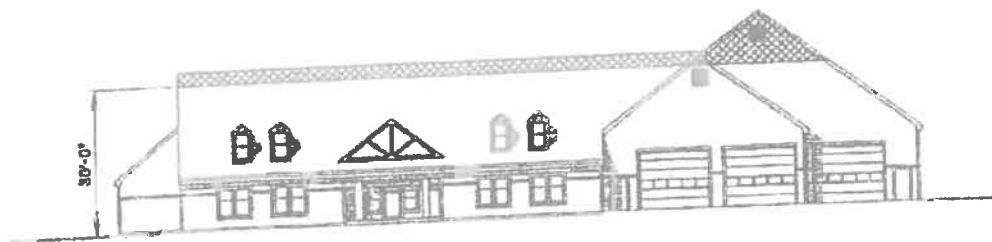


Exhibit 5: *Front Elevation of Station
Shaded area indicates portion of roof above 30 feet*

ANNUAL TOWN MEETING APRIL 14, 1992

ARTICLE 29. Voted: (as amended) to raise and appropriate the sum of \$356.00 for our proportional share of the expenses of the Cape Cod Greenhead Fly Control District.

So voted: voice vote.

ARTICLE 30. Voted: to raise and appropriate the sum of \$5166.00 to increase the benefits provided under the existing accident, health and death policy to Fire Department personnel injured, disabled, etc. while performing their duties as Fire Department personnel.

So voted: voice vote.

ARTICLE 31. Voted: to raise and appropriate the sum of \$1800.00 to be added to the Fire Department Training budget and to authorize payment from said Fire Department Training Budget in the form of educational incentives to Fire Department personnel for the successful completion of approved educational courses.

So voted: unanimous voice vote.

ARTICLE 32. Firefighter By-Law - to indefinitely postpone.

So voted: voice vote.

ARTICLE 33. Voted: to raise and appropriate the sum of \$445,315.80 to fund a portion of the principal and interest due on the School Bond in Fiscal 93.

So voted: unanimous voice vote.

ARTICLE 34. Voted: (as amended) to authorize the Town Building Committee to solicit bids, to enter into contracts and to expend funds for architectural plans and construction, original equipping and furnishing of a Fire/Rescue/Police building on town-owned land, including costs incidental and related to the project; that the sum of \$1,744,000.00 be appropriated for these purposes and that to raise this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$1,744,000.00 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor, that the Board of Selectmen and the Town Building Committee are each authorized to seek, apply for and accept any funds that may be available for the project from the state or federal government or any other source in order to defray a portion of the cost of the project; provided, nevertheless, that no money shall be expended or borrowed hereunder unless the Town shall have voted at a regular or special election to exempt the amounts required to pay the bonds or notes from the limitations of Proposition 2 1/2, so called, and provided that the communication facilities shall not be used for commercial purposes without approval at a future town meeting.

So voted: standing vote - 147 YES/ 15 NO.

Recessed at 9:16 p.m./ reconvened at 9:40 p.m.

ARTICLE 35. Voted: to authorize the Board of Selectmen to enter into a contract(s) with a consultant(s) for the purpose of assisting the Local Planning Committee in developing a Local Comprehensive Plan for the town of Truro. Said agreement(s) shall not exceed the funds granted to the Town by the Cape Cod Commission for that purpose.

So voted: unanimous voice vote.

ARTICLE 36. Voted: to authorize the Board of Selectmen to enter into an agreement with the County of Barnstable for the purpose of establishing a countywide consortium that would apply for, receive and expend federal HOME Grants pursuant to the provisions of the 1990 Cranston-Gonzalez National Affordable Housing Act.

So voted: unanimous voice vote.

ARTICLE 37. Joint use of the Truro Transfer Station with Provincetown.

The motion to indefinitely postpone Article 37 till tomorrow evening was defeated by voice vote.

Then the following amended version of Article 37 was defeated by voice vote:

To authorize the Board of Selectmen to enter into an intermunicipal agreement not to exceed twenty years with the Town of Provincetown to permit their joint use of the Truro Transfer Station.

Lastly the motion to accept Article 37 as printed in the warrant was defeated by voice vote.

Annual Town Meeting recessed at 11:07 p.m. to reconvene April 16, 1992 at 7:30 p.m.

**ANNUAL TOWN ELECTION
TRURO CENTRAL SCHOOL
WEDNESDAY, APRIL 22, 1992**

In accordance with the warrant, the inhabitants of the town of Truro, qualified to vote in elections, met at the Truro Central School, Wednesday, April 22, 1992. The polls opened at 12 noon and closed at 7 p.m. The following election officers were sworn to the faithful performance of their duties: Robert J. Bednarek, Josephine M. Davis, Caroline A. Dirsra, Barbara J. Houstoun, Florence C. Johnson and Frances M. Wood. A total of 634 votes was cast, including 37 absentee, representing 52% of a total voting list of 1224.

SELECTMAN, THREE YEARS

*Bruce T. Tarvers	377
Blanks	123
All others	134

ASSESSOR OF TAXES, THREE YEARS

*Bruce T. Tarvers	379
Blanks	158
All others	97

SCHOOL COMMITTEE, THREE YEARS

*Susan H. Roderick	412
*Pamela B. W. Franklin	375
Richard H. Powers	243
Blanks	236
All others	2

LIBRARY TRUSTEE, THREE YEARS

*Constance R. Wyckoff	528
Blanks	105
All others	1

CEMETERY COMMISSION, THREE YEARS

*Irving R. Wheeler	543
Blanks	88
All others	3

PLANNING BOARD, FIVE YEARS

*Paul D. Kiernan	476
Blanks	153
All others	5

RECREATION COMMISSION, THREE YEARS

Blanks	1219
All others	49

BEACH COMMISSION, FIVE YEARS

*Betsy Smith (write-in)	7
Blanks	597
All others	30

BEACH COMMISSION, TWO YEARS

*Stella D. Painter	435
Blanks	194
All others	5

HOUSING AUTHORITY, FIVE YEARS

*Jeanne B. Foulke	450
Blanks	180
All others	4

QUESTION 1: Shall this Town approve the new Charter recommended by the Truro Charter Commission, summarized below?

YES	312
NO	304
BLANKS	18

BALLOT SUMMARY

If approved by the voters, this Charter shall become fully effective on the first day of July, 1993.

This Charter provides for an open Town Meeting and an elected, five person, part-time Board of Selectmen which shall serve as the policy-making and long-range planning agency for the Town. The Board shall appoint a Town Administrator, public safety officials, and members of all non-elected multi-member bodies, except the Finance Committee and the Personnel Board, whose members shall be appointed by the Moderator.

The Town Administrator shall be responsible for the day-to-day administration of the Town as well as the appointment of most non-elected, paid Town employees, subject to a vote of disapproval by the Board of Selectmen.

In addition to the Board of Selectmen, other elected officials and multi-member bodies shall be the Moderator, Town Clerk, Treasurer, and Tax Collector, and the Housing Authority, School Committee, Planning Board, Cemetery Commission, and Board of Library Trustees.

QUESTION 2: Shall the Town of Truro be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued in order to finance a project for architectural plans and construction, originally equipping and furnishing of a Fire/Rescue/Police building on Town-owned land, including costs incidental and related to the Project?

buffered from the adjoining residential zone by the large site area and extensive trees.

- c. The fire rescue police station is a unique, specific, municipal use and does not set a precedent for other structures whether commercial or residential. Given the specific, technical requirements of a town fire station, we do not think the Board of Appeals is opening the door to other applicants.
5. In summary:
- a. The building represents an appropriate style for the Town and has been well received.
 - b. The overall height is a result of the functional requirements (apparatus bay) and traditional proportions. There are other possible solutions, but in our judgement, this is the preferred choice. In working with design of the building, the Committee has all along felt that harmony with the rural character of the town was its most important objective, and that the traditional barn image was consistent with this objective.
 - c. Certain other existing buildings in town exceed 30 feet in height, are appropriate, and help define the rural character of the town (town hall, churches, barns, lighthouse, portions of the school).
 - d. The request for a special permit is reasonable and consistent with the public good. The language of the Special Permit regulations speak of "harmony with the general public good and intent of the Bylaw."

The Building Committee feels that the type of architecture proposed is in harmony with the rural character of the town and that the roof is an appropriate solution.

The Committee feels that the request is in keeping with the intent of the Bylaw, which stipulates a general 30 foot height limit and specifically allows for appropriate exceptions.

The original directive to the Town Building Committee was two-fold: design a Fire Rescue Police station that will meet the functional needs of the Town for at least 50 years, and design a building that reflects traditional Cape-style architecture.

The first step in designing the building was to identify all the spaces that each department needed. For the Fire and Police Departments, many of these spaces have specific technical requirements.

The apparatus bay, for example, has to have a ceiling height of approximately 15 feet because of the size of the fire trucks and the need to work overhead. With the number of trucks and rescue vehicles that the town has, a garage area consisting of three double bays was needed. New equipment is larger than older trucks, and many of these standards are set by state and federal regulations. A garage of 63 by 89 feet fits present and future needs.

For the offices, the sizes of individual areas such as the dispatch area, specific offices, and administrative spaces were established. It is important for certain uses to be located next to each other. Federal regulations require an elevator. The result was an office wing approximately 65 by 83 feet. A small garage and holding cell area was located at the rear; toilet, locker training and meetings rooms were located in a

basement level. This plan established the building size, what is called the "footprint" of the building on the ground. (See Exhibit 1).

A final consideration is future expansion. The attic areas are an important element of the design, providing space that can be used in the future as needs in the Town change. Over both the Police and Fire offices are unfinished attic areas suitable for future use either as office space or possible living quarters for fire personnel. The design approved by the Town allows for this future expansion.

What makes Cape architecture distinctive is the combination of weathered shingles, low eaves, and the steeply-pitched roof. Cape roofs are pitched to shed water and snow readily, and to make use of the attic space possible. Technically, these roofs are pitched at 10:12 or higher (10 inches of rise for each 12 inches horizontal run). Often the roofs exceed 12:12. (See Exhibit 2). There is more useable space with a steeper roof. (See Exhibit 3).

During the design phase, the Town Building Committee and Police and Fire Departments visited many other Cape Cod stations. The building that all groups found most appropriate as a model was the new fire station in

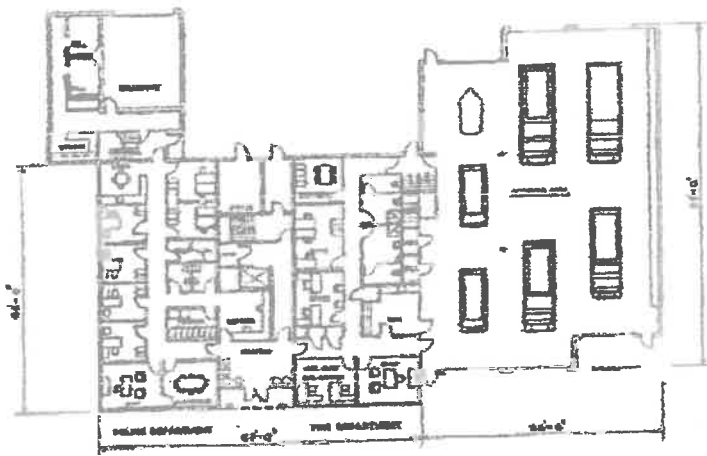


Exhibit 1: First Floor Plan

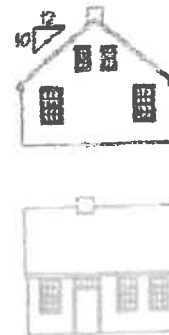


Exhibit 2: Typical Cape Cod House Roof

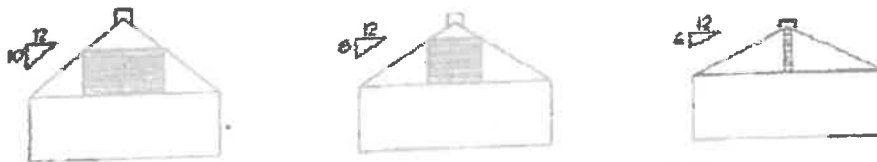


Exhibit 3: Effect of Lower Roof Pitch on Useable Area of Attic
Shaded area indicates useable area to height of 5 feet

Summary

In asking for a vote in favor of the current design, the Town Building Committee feels that the present design is appropriate and in keeping with the character of Truro.

1. Granting of the Special Permit does not set a precedent for other buildings because this building is unique. It is not a house and a homeowner cannot consider it applicable to a residence. This is a Town building, and the only Fire and Police Station to be built for many years. As a unique building type and situation, it does not set precedent for any other applicant.
2. The building is located on Route 6 in North Truro (the former Lema motel property) in a General Business zone. Next to the project is a commercial cluster consisting of a bank, a restaurant, a large motel and an auction/sales barn. Across the highway is a cemetery. The proposed building is separated from residential areas by woods.
3. The alternative of lowering the pitch of the roof will result in a building with less pleasing proportions.
4. Changing the pitch of the roof will result in a 25% loss of future expansion space over the office

area, and will eliminate any potential use of the area over the apparatus garage.

5. The request for a Special Permit is reasonable and consistent with the public good.

The Town Building Committee hopes this information is useful to you in understanding the design of the Fire Rescue Police station.

M October 21, 1992

ARTICLE 4. Voted: to transfer from receipts reserved for appropriations, "Fire Department Equipment & Machinery Fund", the sum of \$3400.00 (Thirty Four Hundred) for the purchase of a computer system and related accessories, for use by the Fire Department, and to authorize the Board of Selectmen to solicit bids, enter contracts, and expend these funds for this purpose.
So voted: unanimous voice vote.

ARTICLE 5. Voted: (as amended) to transfer from Free Cash the sum of \$5,685.00 for the purchase of a copy machine for Town Hall, and to authorize the Board of Selectmen to solicit bids, enter contracts, and expend these funds for this purpose.
So voted: unanimous voice vote.

ARTICLE 6. Voted: to amend the Personnel bylaw, Section VIII, by adding to Section 8.1, the following:

Should any of the listed Holidays fall on a Saturday, the preceding Friday would be observed. If the Holiday falls on a Sunday, then the following Monday would be observed, the foregoing to be superseded by any State mandated alternate celebration dates.

So voted: unanimous voice vote.

ARTICLE 7. Voted: to amend its General By-Laws, Renting or Leasing Buildings, by repealing the first paragraph thereof and by substituting the following:

Any owner or agent who shall offer for rent or lease any building or portion thereof to be used for habitation, other than a duly authorized or licensed premise, for a period of 120 days or less, shall register each building or buildings or portion thereof with the Licensing Agent.

Any building or portion thereof registered as required by the provisions of this act shall be assessed an annual fee as follows:

\$ 50.00 for a portion of a house
\$100.00 for the whole house

Failure to comply with this By-Law shall subject both the owner and the agent to a fine of not more than \$150.00 for each offense, each year of non-registration shall constitute a separate offense.

So voted: standing vote - 67 YES, 55 NO.

ARTICLE 8. Voted: to express its opinion that the proposed Police/Fire/Rescue Station, which is approximately twelve (12) feet too tall under the zoning by-law, should, if at all possible, be constructed as planned.

So voted: voice vote.

Before the final vote on Article 8, as recorded above, the following votes were taken:

Move the question: standing vote - 97 YES, 24 NO.

Secret ballot DEFEATED by voice vote.

ARTICLE 9. Voted: to grant an easement to Joaquim P. Bento and Antonio M. Pereira, both under a Declaration of Trust dated November 9, 1987 and recorded as Trustees of White Village Realty Trust, as Document Number 445, 194, Barnstable Registry District, the perpetual right and easement to install, maintain, repair, replace, alter and inspect, a six (6") inch PVC sewer pipe under Route 6A, a Town way, in the Town of Truro, between land of the grantees shown as Lot 3 on Land Court Plan 17607-C and Lot 2 on Land Court Plan 17607-B, Certificate of Title Number 112894. The precise location of the pipe is station 441 and 22.10 on the 1920 layout of Route 6A, and shown on a plan of land entitled: "Sketch Plan in Truro, Ma, prepared for Joaquim Bento, showing Septic Easement and Road Crossing, August 4, 1992. Scale = 1"=40', prepared by Felco, Inc.

So voted: unanimous voice vote.

ARTICLE 10. Early Retirement - indefinitely postpone.

So voted: unanimous voice vote.

ARTICLE 11. Voted: to transfer from available funds receipts reserved for Appropriation, Golf Course, and to authorize the Board of Selectmen to solicit bids, enter contracts, and expend these funds for this purpose, the sum of \$1,500.00 to extend electricity from Highland Road to the Golf Course service garage.

So voted: unanimous voice vote.

8:00 P.M. Town of Truro, by agt./chair. of the Town Bldg. Committee, for property located at Rte. 6 and Parker Dr. (Atlas Sheet 39, Parcel 172). Applicant, as agent for the Town of Truro, requests a Special Permit pursuant of Section IX A-5-D, to construct a radio tower with a height of between 150' and 100' above grade behind, and for the new police/fire facility in late plan. development stage, as per plans filed with the Building Inspector.

At this point Chairman Verdina noted that the other part of the advertisement about the height of the building of 32' in question would have to be readvertised, since it was more than 32'. He noted that if the ZBA granted a S.P. in this case, and it was challenged, this could be tied up in court for many years. He continued the Board is here to enforce the bylaws of town; however, he felt something of this magnitude should not be voted on by only five members of the town. He stated he had asked the Selectment to put this to a Town Meeting vote. The town would vote whether to allow the 40 ft. ridge; if it passed, it would not go before the ZBA.

Chmn. Verdina asked Mr. Holz, as agt. for the Town Building Committee, how they had planned said building with a height, at one point, 10+ feet above the measurement allowed in the bylaw.

Discussion ensued regarding Town Meeting procedure. There were questions from the audience regarding amendments to the bylaw. After further discussion by members of the audience regarding the proposed plans, amendments, etc., Mr. Verdina reiterated his feeling that 5 members should not make the decision for the whole town.

He noted the Board could not vote on this aspect at the time since the wrong height was listed in the application, nor could they hear the petition. Mr. Todd, the architect, spoke about the function of the fire dept. and the design of the building. After further discussion, this part of the hearing was closed, and the 8:00 P.M. petition was discussed.

Mr. Williams gave background on the radio tower. He made reference to Town Counsel's opinion regarding a radio tower as a structure, thus subject to the 23 ft. height rule. He cited Section IX A-5-D, exceptions to the height regulations by Special Permit.

Mr. Holtz, agt. for the Town Bldg. Com. spoke regarding the tower. He noted he had been advised a 100' tower would be satisfactory; however, in a few years the police/fire dept. would probably be going to a 5-band frequency, and would need a 150' tower. They would build the base to incorporate a 150' tower.

Mr. Keating noted the Board should consider the use of this tower in making the decision. (i.e.: possible commercial use).

Discussion ensued regarding commercial use of the tower. Mr. Verdina noted the commercial use question would probably have to come before Town Meeting.

Mr. Holtz noted the tower was required for safety use. Mr. Williams noted possible rights by Cellular One or some other facility to build a tower.

Questions from the audience took place at this time. They asked about going to the 800 band; with higher frequency there is more room.

Questions were raised about the proximity to the school and safety factors.

Chmn. Verdina cited a letter from Cape Electronics regarding the tower.

After further discussion regarding height, style, dishes, and need for more detailed description of the tower, Mr. Verdina noted the Board would take everything into consideration. They would like additional information requested, ie: report by the company that did the study, etc. The Board would not make a decision at this time. They would like to look over the facts and would like all dimensions and findings by the people who did the study.

MOTION: Verdina, 2nd Connor: To continue the decision to a time to be announced.

Atty. Snow noted there would be no change of use contemplated on any other part of the property; it was not the intent to increase motel use. Discussion ensued about a separate apartment on the property, which was used for summer employees. Mr. McCormick felt such apartment would be increasing density by a large percentage -- i.e. "employee dorms." After further discussion, Mr. Verdina noted they would close the evidentiary part of the hearing. The Board would discuss the issues further at the end of the meeting.

A five minute break was taken.

After the final petition, the Board resumed their discussion of the Kuliopulos hearing. Mr. Connor noted they would frame a motion and would then add any conditions. This would be a working draft, and the Board would make a decision on November 23 at approximately 7:30 P.M.

8:30 P.M. Town of Truro, by Donald Holtz, agt/chr. of Town Building Committee, for property located at Rte 6 and Parker Dr., (Atlas Sheet 39, Parcel 172). Applicant, as agent for the Town of Truro, requests a Special Permit, pursuant to Section IX A-5-D to construct a new police/fire facility with a maximum ridge height of 40 ft. above grade, as per plans filed with the Building Inspector.

Chmn. Verdina noted previously in the evening that a time waiver had been agreed upon by the Town Building Committee on the petition for the radio tower; this would be heard some time in the winter, after the first of the year.

Mr. Holtz, representing the Town Building Committee, spoke about the height requests. He noted they were asking for a Special Permit to construct the police/fire station with a ridge over the main section of 32 ft. and the ridge over the apparatus room to be 40 ft. He stated the reasons were both aesthetic and to provide ample space for future use. He referred to the non-binding vote at the town meeting, and noted he felt the majority favored the plan.

Mr. Todd, representing the architectural firm, spoke. He explained they looked at many other municipal buildings and showed pictures of the West Barnstable structure, which he felt was closest to the proposed design.

Mr. Verdina asked how they arrived at the 40 ft. figure, when they knew the bylaw was 30 ft. Mr. Leigh noted they would be looking at the gable end and view the full height from that angle.

(At this point, Ms. Matricardi stepped down in response to an inquiry from Ken Brock regarding potential conflict of interest.)

Mr. Brock (Chairman of the Planning Board) read a letter he had written in opposition to granting a Special Permit. He noted if the height were condoned, one would be condoning violations of the bylaw; there were no grounds to grant a Special Permit -- the criteria of a Special Permit were not met; denial of a Special Permit would delay construction somewhat, but there was no emergency for construction; the buildings in town that are higher than the bylaw permits preclude zoning.

Mr. Sullivan, and Mr. Kaufman, members of the audience, presented possible design changes. The Board asked for further explanation of the plans. Mr. Todd presented a scale model of the plan.

Mr. Verdina asked about storage space and utilization of storage space.

Mr. Leigh asked about moving the site further back on the property.

Questions were raised about costs of changing the design. Ms. Pedalino, from the audience, spoke of the precedent of granting a Special Permit. Questions were raised regarding the roof line and relationship to the bays; Mr. Verdina noted the plans were presented many times with never a mention of height; Mr. Holtz noted, the height matter was inadvertent. Mr. Wartenburg noted they tried to have maximal utilization of area. Mr. Holtz noted many towns have exemptions from the height bylaw. Another member of the audience noted his objections.

After a request for the definition of a Special Permit, Chmn. Verdina read the definition in Mass. General Laws.

Mr. Rose referred to the framing of the height bylaw and explained how they arrived at the 30 ft. height figure.

Mr. Althaus asked about the costs of delay and costs of altering the plans.

Mr. Todd noted they were there strictly on the merits of the building.

After further discussion, Mr. Verdina noted they would close the evidentiary portion of the hearing until Nov. 23, at which time they would make a decision; the Board would ask questions of fact only.

OTHER BUSINESS

The minutes of October 19, 1992 were unanimously approved as corrected.

Next regular hearing will be Monday, December 21, 1992 at 7:30 P.M.

Meeting adjourned at 11:35 P.M.

8:00 P.M. TOWN OF TRURO, by agt/chr. Donald Holtz, of Town Bldg. Com.
DISCUSSION.

Chmn. Verdina noted the evidentiary portion of this hearing had been closed at the meeting of 11/16/92; They were present to come to a decision, and if they had questions they could ask the committee and architects.

(At this point Ms. Matricardi stepped down from this hearing because of a question of conflict of interest.)

Mr. Verdina noted members of the ZBA had spent a lot of time looking at different buildings; he asked if it were possible to lower the building a little bit, and also what problems would be incurred.

The architects presented drawings showing lower building heights; they commented there were a lot of inter-related issues, and stressed all implications of proposed changes had not been thoroughly checked out at this time.

Mr. Verdina asked what complications could arise. There would be changes in trusses of the structural system; operational clearances -- less space on the sides of the doors; stair design might be affected. It was noted the architects would have to speak to the Fire Dept. in regard to some of the matters mentioned.

Questions were raised about a change in pitch of the roof; this was explained to the Board.

The questions of the siting of the building were raised; in addition, questions were raised concerning the well. The well plan was shown to the Board. Discussion ensued regarding moving the building back on the lot as well as landscaping and parking.

The Board members then looked at the model of the proposed structure; they discussed the special permit and the question of "detrimental to the neighborhood." Questions were raised regarding setbacks if the structure were moved back. At this point, Mr. Verdina stated he wanted to get comments from the Board members on the proposal.

Mr. Connor noted the process of creating a town building is very complex; he noted a cross section was given heavy responsibility to design a public facility, this plan had been presented at numerous public hearings. He commented on the question of precedent; he noted he had been told many times as a member of the ZBA that every case is judged on its own merits -- there is a unique set of circumstances. He noted he would like to see the building set back some 50 ft., with the same pitch but lowering the wall plates to reduce the height.

Ms. Hultin agreed with Mr. Connor; Mr. Leigh read a letter he had drafted which noted there should be some sort of compromise to the combined heights of the proposed structure and the siting on the parcel. He noted he was willing to consider a partial height diminution, but only if the building site were relocated to a point further from the highway, which will further reduce the visual imposition of the height overage.

Mr. Althaus stated he agreed with Mr. Connor and Mr. Leigh -- he might vote for the project - only under a lot of conditions, among them if the building were situated somewhere else. He continued he might vote for something in the 32 to 34 ft. range; he voiced his concerns that re-siting might not solve the problem; he felt it would be unfortunate if townspeople felt the structure were a "white elephant" and reiterated he would rather see the height at 32' to 34 ft.

CONDITIONS AND FINDINGS (Con't)

- 4) The Board notes that although Truro bylaws make no provision for special municipal height exceptions, the Town has never explicitly chosen not to exempt municipal buildings from the height requirements. The bylaw makes provision (Section IX-A-5-D) to create exceptions to height limitations by following the guidelines of granting special permits. It is the position of the Board in granting this height exception that the Zoning bylaw addresses itself principally to residential and commercial zoning standards while creating no clear direction in the matter of municipal buildings, which may tend to be considered larger, given their municipal uses. It is further noted that the bylaw recognized the need to make provision for appropriate exceptions to height limitations by means of special permits.
- 5) The Board recognizes that the requirements for municipal buildings transcend the limitations for private structures. Municipal buildings affect every member of the community directly, and the Building Committee, acting lawfully as spokespersons for the entire Town of Truro, directed the design initiative in the best interests of the community, as well as they could judge those interests.
- 6) The Board recognizes that although there is opposition to the height exception among townspeople, there is also broad support for the project to go forward as planned. The Board finds that the additional cost of beginning the design procedure anew is not justified. The Board also finds that further delay in construction may imperil the availability of funding already approved or applied for.
- 7) The Board makes the following Condition in granting this Special Permit: No part of the structure of the Fire-Rescue-Police facility shall be closer than 90 ft. from the easterly property line.
- 8) The Board incorporates by reference in this motion the following two documents:
#1 "The Truro Building Needs Study" (Dated March, 1990)
#2 "The Report on the Proposed Fire-Rescue-Police Facility" (Dated Dec., '91)
- 9) The Board finds that the granting of this Special Permit, with the limitations noted, is in harmony with the general purpose of the bylaw. The Board also finds that in granting this Special Permit for a Fire-Rescue-Police building, a municipal structure, it sets no precedent for any future height exception, either residential commercial or municipal.
- 10) in granting this permit, the Board finds that present and future municipal needs of the Town of Truro, as well as the special requirements for the storage and maintenance and use of technical equipment, together constitute unique circumstances in this petition for relief.
- 11) The Board includes by reference a three-page submission filed with the Board of Appeals by the Town Building Committee, dated November 18, 1992, and entitled: "Summary of Request for Special Permit."
- VOTED FOR: Verdina, Connor, Leigh, Hultin
VOTED AGAINST: Althaus
THE MOTION PASSES: 4/Yes 1/No
- OTHER BUSINESS
Next regular meeting will be Monday, December 21, 1992 at 7:30 P.M.
Meeting adjourned at 10:00 P.M.



BOARD OF APPEALS

TRURO, MASS.

(HEARING OF 11/16/92)

TOWN OF TRURO - TOWN BUILDING COMMITTEE -- DECISION OF 11/23 -2-

CONDITIONS AND FINDINGS (Con't)

- 2) The Building Committee, knowing that the building required a Special Permit for a height exception, made application (dated 9/25/92) to the Zoning Board of Appeals (ZBA) to that end.
- 3) According to testimony presented at the hearing of November 16, 1992, the identified needs of both the Police and Fire Departments dictated the layout of the floor plan. These requirements, both present and anticipated, created the floor plan over which a roof had to be placed. The Building Committee chose to instruct the Architects to design a "Cape Cod style" roof, which is characteristically an 8/12, 9/12, or 10/12 pitch. The geometry of such a roof covering a large floor space caused the ridge of the roof to rise above the prescribed limits of the Truro Zoning bylaws.
- 4) The Board notes that although Truro bylaws make no provision for special municipal height exceptions, the Town has never explicitly chosen not to exempt municipal buildings from the height requirements. The bylaw makes provision (Section IX-A-5-D) to create exceptions to height limitations by following the guidelines of granting special permits. It is the position of the Board in granting this height exception that the Zoning bylaw addresses itself principally to residential and commercial zoning standards while creating no clear direction in the matter of municipal buildings, which may tend to be considered larger, given their municipal uses. It is further noted that the bylaw recognized the need to make provision for appropriate exceptions to height limitations by means of special permits.
- 5) The Board recognizes that the requirements for municipal buildings transcend the limitations for private structures. Municipal buildings affect every member of the community directly, and the Building Committee, acting lawfully as spokespersons for the entire Town of Truro, directed the design initiative in the best interests of the community, as well as they could judge those interests.
- 6) The Board recognizes that although there is opposition to the height exception among townspeople, there is also broad support for the project to go forward as planned. The Board finds that the additional cost of beginning the design procedure anew is not justified. The Board also finds that further delay in construction may imperil the availability of funding already approved or applied for.
- 7) The Board makes the following Condition in granting this Special Permit: No part of the structure of the Fire-Rescue-Police facility shall be closer than 90 ft. from the easterly property line.
- 8) The Board incorporates by reference in this motion the following two documents:
 - #1 "The Truro Building Needs Study" (Dated March, 1990)
 - #2 "The Report on the Proposed Fire-Rescue-Police Facility" (Dated Dec., '91)

DKR 11/30/92

Cynthia A. Slade, Town Clerk, Town of Truro/ December 22, 1992

A true copy, attest:

Cynthia A. Slade

Submission to the Board of Appeals
Town of Truro
November 18, 1992

SUMMARY OF REQUEST FOR SPECIAL PERMIT
Submitted by Town Building Committee
Truro Fire Rescue Police Station

The Town of Truro Zoning Bylaw, Section VIII.C. Special Permits, Paragraph 3 states:

"Special permits may be approved only after a finding by the Board of Appeals or Planning Board (as applicable) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this Bylaw."

1. The proposed Fire Rescue Police Station exceeds the allowable height to the highest point of the gable roof of 30 feet as defined in Section IX.5.A.
2. The Town Building Committee, on behalf of the proposed Fire Rescue Police Station, has applied for a special permit under Section IX.5.D. to exceed the 30 foot height limit.

As Lloyd Rose's comments at the hearing Monday night indicated, the 30' height provisions came from measuring Cape Cod houses. As has been noted, the 30' height limit in the Bylaw does not distinguish among residential, commercial or municipal uses, but its origins were clearly residential. We have to assume that drafters of the Bylaw included the Special Permit exception because they anticipated certain situations would arise where more height was appropriate. The Bylaw allows for appropriate exceptions to be granted by the Board of Appeals, recognizing that there are instances when the use or character of a building warrants relief from the general height provision, such as a barn, church, town hall, etc.

3. The building as designed was based on the following elements:
 - a. The function of the apparatus garage is to hold the fire trucks and rescue vehicles. The width of 63 feet is to meet the needs of the department for three double bays; the bay spacing is based on the size of present and future fire equipment. High ceilings are essential for the equipment. This raises the eave line and accordingly the roof line.

The design was prepared by working closely with the Fire, Rescue and Police Departments. Many hours were spent working together on

From: Rae Ann Palmer <rpalmer@truro-ma.gov>
To: assttown@truro-ma.gov
Date: 02/11/2015 04:09 PM
Subject: Fw: Affordable Housing Proposal - Public Safety Property

Rae Ann Palmer
Town Administrator
Town of Truro
24 Town Hall Road - PO Box 2030
Truro, MA 02666
508.349.7004 EXT 11

From: Rae Ann Palmer [mailto:rpalmer@truro-ma.gov]
To: E. James Veara [mailto:ejv@zissen-veara.com]
Cc: Jay Coburn [mailto:jcoburn@truro-ma.gov], Paul Wisotzky [mailto:pwisotzky@truro-ma.gov],
housingauthority@truro-ma.gov
Sent: Wed, 11 Feb 2015 13:03:50 -0500
Subject: Affordable Housing Proposal - Public Safety Property

Hi Jamie

I am attaching two files to this email. One is a flyer that was sent to residents regarding the height of the proposed public safety building which references a buffer between the building and the neighborhoods near the property.

The second is the deed for the property. I will send you in separate emails communications that I have received regarding this property from neighbors.

Essentially, here are the questions:

Does the attached flyer guarantee that the buffer will remain in its present size and state?

Does the wording in the deed, page 1 and 2, " for the purpose of acquiring a site for the potential construction of a police station and/or fire station, and for other lawful, future town uses..." preclude the Town for leasing the subdivided parcel to a developer for affordable housing?

Thanks - Rae Ann

Rae Ann Palmer
Town Administrator
Town of Truro
24 Town Hall Road - PO Box 2030
Truro, MA 02666
508.349.7004 EXT 11



MAR 24 2016

Boston

Kopelman and Paige P.C.

Northampton

101 Arch Street

Boston, MA 02110

Worcester

(617)556-0007 / (617)654-1735 - fax

Lenox

THIS DOCUMENT IS CONFIDENTIAL

FAX TRANSMITTAL COVER SHEET

Date: March 23, 2016 Number of Pages Including Cover: 4

Account Code: _____ Original Will Follow: Yes _____ No X

This Fax was Sent By: Shirin Everett, Esq. Operator Initials: exh

PLEASE DELIVER TO:

Name	Fax Number
<u>Ms. Rae Ann Palmer</u>	<u>(508) 349-5505</u>

COMMENTS OR INSTRUCTION:

Dear Rae Ann,
 Attached is the opinion letter regarding
 340 Route 6, revising the February 24, 2014
 date to February 24, 2015.

PLEASE CONTACT SENDER AT (617)654-1754 IF YOU HAVE NOT RECEIVED THE NUMBER OF PAGES NOTED ABOVE OR IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION

KOPELMAN AND PAIGE, P.C.

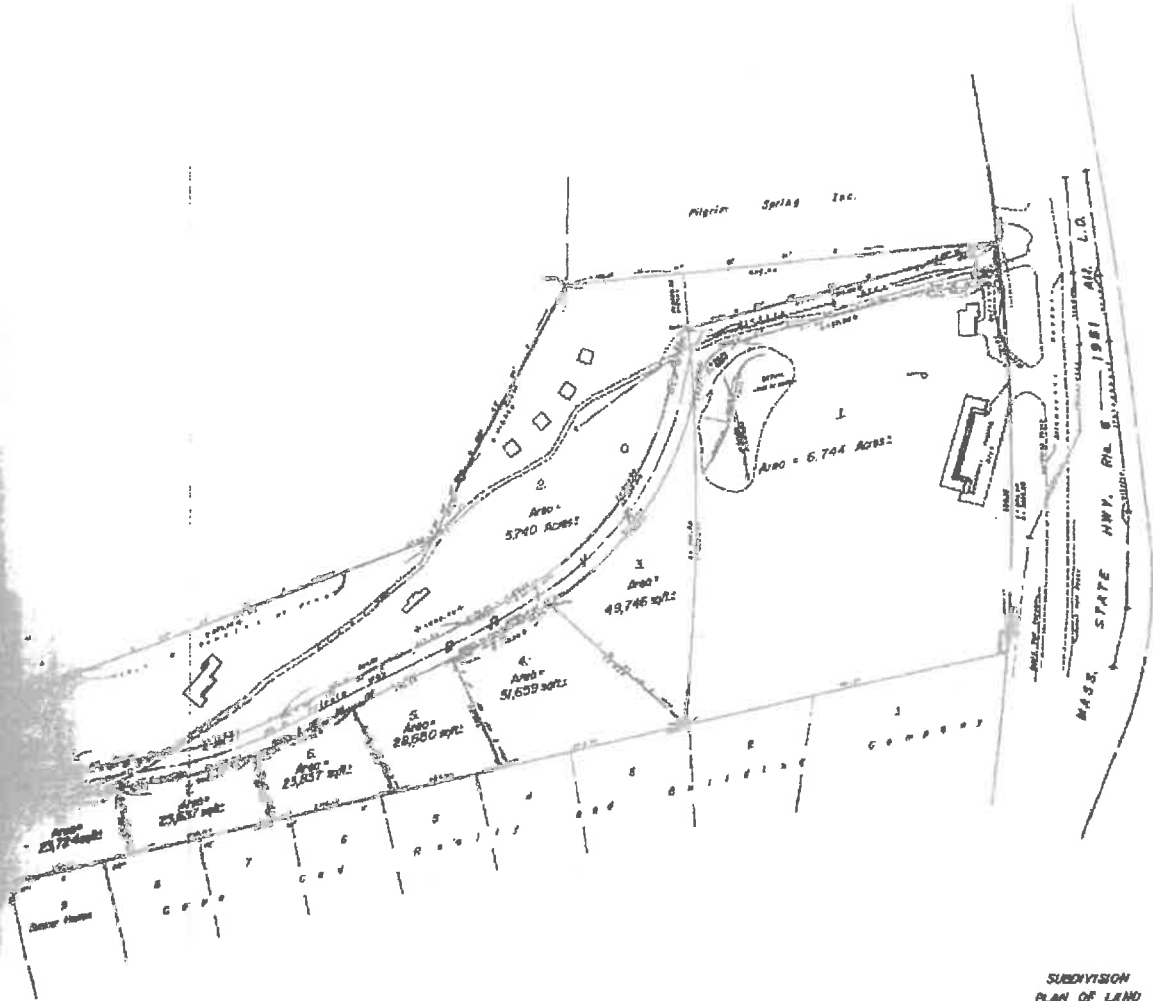
Ms. Rae Ann Palmer
Town Administrator
January 20, 2016
Page 2

In my opinion, the Covenant did not apply to the Property at the time of the Taking. The Covenant was recorded on January 31, 1969 by Edward and Miriam Fowler (together, the "Developer"), the developers of the Tru Haven subdivision (the "Subdivision") (that lies adjacent to the Property. The Covenant applies, by its terms, to the 45-lot Subdivision, which lots are located off Route 6 and shown on a plan entitled "Subdivision Plan of Land in Truro," dated June, 1968 and recorded with the Registry as Tube 34A (the "Plan"). A copy of the Plan is enclosed. The Property is one of the Subdivision lots: it is shown on the Plan as "Lot 1", contains 6.744 acres, and runs approximately 550 feet along Route 6 with a depth of approximately of 500 feet. While the Deed mentions that the Property is subject to the Covenant, the Covenant, however, expressly excludes the Property from its provisions. The Covenant states, generally, that "the restrictions and covenants set forth herein shall not apply to any land herein described which is presently zoned by the Town of Truro for commercial, business or limited business purposes." You have informed me that the Property has been zoned for general business use since 1963. Further, the Covenant states, in a paragraph entitled "Exclusions," that "*Specifically excluded* from these covenants is that area along Route 6 approximately 600 feet in length and 500 feet in depth zoned for general business by the Town of Truro, *to which these covenants shall not apply*" (emphasis added). In my opinion, since the Property (Lot 1) was (and is) the only Subdivision lot abutting Route 6 and satisfied the dimensions of the excluded lot as described in the Covenant, and was zoned for business, the Covenant did not apply by its terms to the Property.

In my opinion, the reference to the Covenant in the Deed to the Former Owner appears to be inadvertent. The deeds by which the Developer conveyed the first few lots in the Subdivision state that the lots are conveyed subject to the Covenant. However, when the Developer conveyed the Property and an abutting Subdivision lot (the Property and the lot were merged) by deed recorded in Book 1674, Page 119 (the "First Deed"), the deed states that the land is conveyed subject to the restrictions in the Covenant "*insofar as they apply to the above-described parcels*" (emphasis added) (the "exclusion phrase"). Had the Developer intended to subject the Property to the Covenant, the Developer could have amended the Covenant or otherwise clearly expressed her intention to apply the Covenant to the Property clear in the First Deed; there was no need for the exclusion phrase. It is likely that the Developer mentioned the Covenant in the First Deed only because the First Deed conveyed land (the abutting Subdivision lot) that was in fact subject to the Covenant. The deliberate use of the exclusion phrase indicates that the Developer was aware that the Covenant did not apply to the Property, only to a part of the property conveyed by the First Deed.

Even if the Covenant applied to the Property in 1969, it is my opinion that the Covenant expired by operation of law in 1999. Sections 26-32 of Chapter 184 of the General Laws establish a statutory framework that is designed to limit the duration of restrictions. To that end, Section 27 of Chapter 184 states that all restrictions imposed on property after 1961 terminate 30 years from their imposition, with a few narrow exceptions. Section 27 allows 2 types of restrictions to extend beyond

TUBE 34A

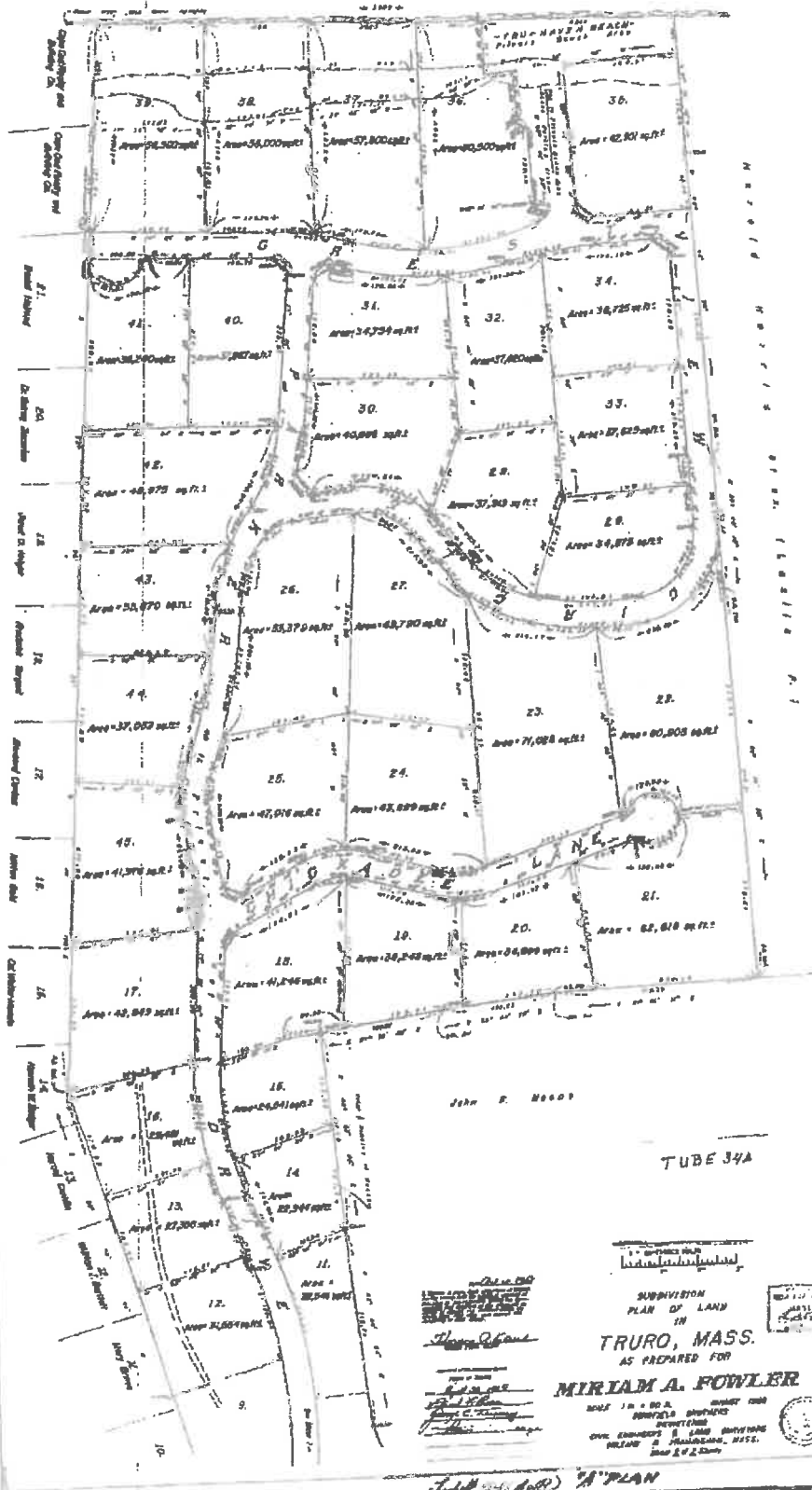


SUBDIVISION
 PLAN OF LAND
 IN
 TRURO, MASS.
 AS PREPARED FOR
MIRIAM A. FOWLER

DATE 1-10-00
 PREPARED BY
 CIVIL ENGINEER & ARCHITECT
 100 STATE STREET, TRURO, MASS.
 01969



CAPE COD BAY



John P. Wood

TUBE 37A

John P. Wood
 Miriam A. Fowler

SUBDIVISION
 PLAN OF LAND
 IN
TRURO, MASS.
 AS PREPARED FOR
MIRIAM A. FOWLER
 SCALE 1/4" = 50.0' JANUARY 1988
 BENTLEY SYSTEMS
 CIVIL ENGINEERS & LAND SURVEYORS
 WILMINGTON, MASS.
 1988 1/4 2 2 2



John P. Wood



KOPELMAN AND PAIGE, P.C.
The Leader in Public Sector Law

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BY FACSIMILE (508) 349-5505

Ms. Rae Ann Palmer
Town Administrator
Truro Town Hall
24 Town Hall Rd.
P.O. Box 2030
Truro, MA 02666



Re: 340 Route 6

Dear Ms. Palmer:

We provided you with an opinion dated February 24, 2014 on various issues relating to a 6.77-acre parcel of Town-owned land located at 340 Route 6 (the "Property"), which the Town acquired pursuant to an Order of Taking recorded with the Barnstable County Registry of Deeds (the "Registry") on June 18, 2009 in Book 7194, Page 177 (the "Taking"). The deed by which the then-owner of the Property acquired the Property, which deed is recorded in Book 5071, Page 8 (the "Deed"), states that the Property is "conveyed subject to...any and all rights, easements, covenants, restrictions and agreements found in the documents recorded with said Registry of deeds in Book 1427, Page 37, Bok 1674, Page 116 and Book 2388, Page 227." The document recorded in Book 1427, Page 37 is dated January 31, 1969 and entitled "Protective Covenants;" the other documents amend the Protective Covenants (as amended, the "Covenant"). The Covenant restricts certain lots to single-family residential use, prohibits the subdivision of the lots, regulates setbacks, signs, fences, removal of trees, establishes a minimum dwelling area, reserves a right of first refusal, and contains other requirements. The Covenant states that it will terminate 50 years from the date it was recorded, that is, on January 31, 2019.

You had asked if the Property is subject to the Covenant, as stated in the Deed. We noted in our letter that we had not researched Registry records to determine if the Covenant applied to the Property prior to the 2009 Taking, but, assuming the Covenant did apply, the Town, by taking the Property in fee and any and all rights that others may have had in the Property (with the exception of 2 utility easements), terminated all other encumbrances on the Property, including the Covenant.

You subsequently asked us to research Registry records to ascertain if the Property was subject to the Covenant prior to the 2009 Taking, or became subject to the Covenant thereafter. For the reasons set forth below, it is my opinion, based on the Registry records, that the Property was not subject to the Covenant prior to the Taking, and, to the extent the Covenant applied, it terminated by operation of law on January 31, 1999 or in 2009, pursuant to the Taking that extinguished the Covenant. There are no records indicating that the Property became subject to the Covenant after the 2009 Taking.

KOPELMAN AND PAIGE, P.C.

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Town Administrator
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Covenant), provided that a notice of extension is recorded prior to the expiration of the 30-year term; and, a "common scheme restriction," that is, a restriction that applies to 4 or more lots, provided that the restriction itself permits the extension and a notice of extension, signed by the owners of at least 50% of the Subdivision, is recorded before the expiration of the 30-year term, and satisfies the other requirements of Chapter 184. Under Section 27, the Covenant would expire on January 31, 1999, unless a notice of extension was recorded on or before that date. We have researched the Registry records and did not find a notice of extension recorded prior to the deadline. Lastly, as mentioned above, even if a notice of extension was timely filed, the Town's 2009 Taking extinguished the Covenant. We have not found any instrument recorded after 2009 Taking that subjected the Property to the terms of the Covenant.

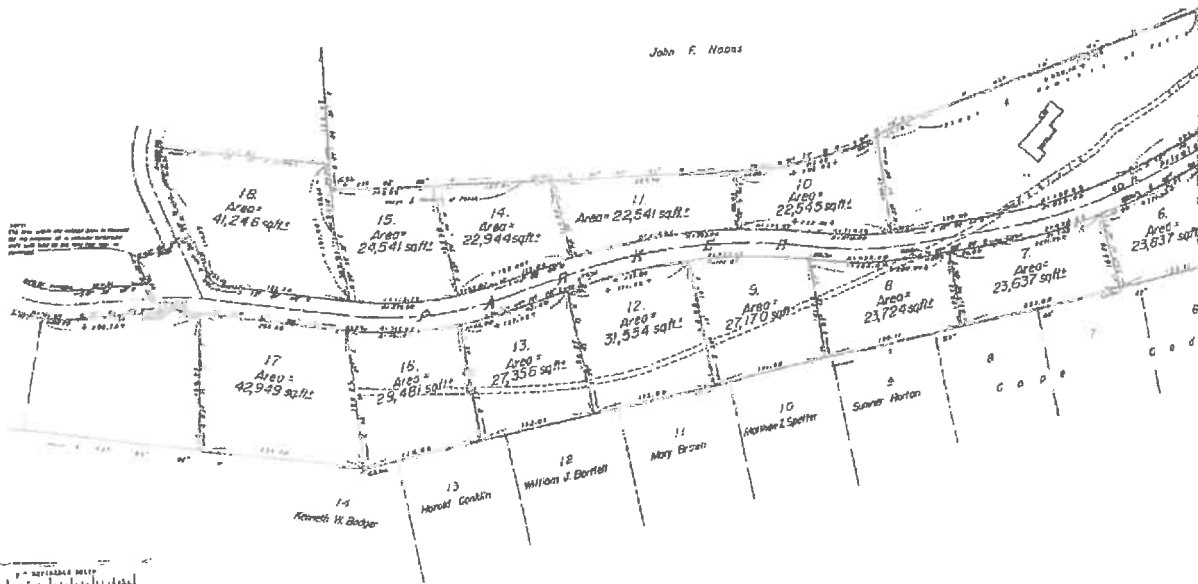
Please let me know if you have any further questions on this matter.

Very truly yours,



Shirin Everett

SE/
Encl.
538499/SUND/0028



John F. Nadas

The undersigned, being the owner of the
above described land, do hereby certify
that the above is a true and correct
copy of the original plan, as filed
in my office, for record.

Date: June 21, 1967
John F. Nadas
John F. Nadas
John F. Nadas
John F. Nadas

1" = 100 FEET SCALE

Date: June 21, 1967
I, Howard O. Kraus, of the State of
California, County of... do hereby certify
that the above is a true and correct
copy of the original plan, as filed
in my office, for record.

Howard O. Kraus
Surveyor



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www.k-plaw.com

February 24, 2015

John W. Giorgio
jgiorgio@k-plaw.com

CONFIDENTIAL – NOT A PUBLIC DOCUMENT

Ms. Rae Ann Palmer
Town Administrator
Town of Truro
24 Town Hall Road
P. O. Box 2030
Truro, MA 02666

Re: Potential Development of Town Property on Route 6 for Affordable Housing Purposes

Dear Ms. Palmer:

As part of the Town Counsel selection process, the Town has requested that Kopelman and Paige, P.C., provide an opinion regarding the potential division of a 6.77 acre parcel of Town-owned land located at Route 6 and Parker Drive (the "Property"). We have been informed that the Town acquired the Property by eminent domain in 1990. We understand further that the Property is improved by a combined fire/police/rescue facility (the "Public Safety Facility") and a free-standing telecommunications tower (the "Tower"). The Town is exploring the potential of dividing the Property into two parcels, one that would contain the Public Safety Facility and Tower and one that would be leased for affordable housing (the "Housing Parcel").

First, the Board of Selectmen asks whether a flyer sent by the Town's Building Committee in October 1992 to all Town residents while the Public Safety Facility was under consideration and/or the three special permits issued by the Board of Appeals for the Public Safety Facility and the Tower constitute a permanent guarantee that the then-existing buffer would be maintained. Second, the Board asks whether the 1990 Order of Taking pursuant to which the Town acquired the Property precludes the Town from leasing the Housing Parcel for affordable housing.¹

SUMMARY OF OPINION

In our opinion, based solely on the information provided and subject to the qualifications contained in this letter, neither the flyer nor the special permits created a legal obligation to maintain

¹ The intent of the Town with respect to the disposition of the land for affordable housing purposes is not entirely clear from the information provided. Specifically, there is reference to the potential use of the Housing Parcel by the Truro Housing Authority. There is also a reference to the potential of leasing the Housing Parcel to a developer for affordable housing. For purposes of this opinion, we assume that the Town intends to enter into a long-term ground lease (up to 99 years) with a private developer for the construction of affordable housing. If the Town intends to lease or convey the Housing Parcel to the Truro Housing Authority for affordable housing purposes, the Town would follow the same procedures set forth in this letter, except that the Town would not have to issue a request for proposals ("RFP") to sell or lease the Housing Parcel to the Truro Housing Authority because such a transaction between two governmental entities is exempt from the public bidding requirements of G.L. c.30B.

KOPELMAN AND PAIGE, P.C.

Ms. Rae Ann Palmer
Town Administrator
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Page 3

In the Spring of 1992, Town Meeting authorized the Building Committee to design the Public Safety Facility and although the relevant vote was not provided for our review, presumably at some point appropriated the necessary funds for the Project. On October 16, 1992, the Town Building Committee sent a flyer to all Town residents regarding the proposed design of the Public Safety Facility. The flyer indicated that, "The proposed building is separated from residential areas by woods." It is not clear in what context the flyer was sent to the residents of the Town.

On December 23, 1992, the Board of Appeals issued a special permit to allow construction of the Public Safety Facility at the Property in accordance with the plans submitted. The plans were not provided for our review. This decision expressly conditioned the relief upon a requirement that, "No part of the structure of the Fire-Rescue-Police facility shall be closer than 90 ft. from the easterly property line." On March 8, 1993, the Board of Appeals issued a second special permit, to allow construction of a monopole tower at the Property with a height of between "150' and 100'" above grade as per the siting plans and upon the condition that the tower be used exclusively for fire, police and rescue operations. Finally, on November 19, 1993 the Board of Appeals issued a third special permit for a free-standing communications tower (not a monopole) at the Property with a height of 150 feet above site grade. This decision stated that the Board, "urges that there be appropriate professional landscaping and reasonable concealment measures in order to better camouflage the fencing and the lower section of the tower, namely those parts of the structures and surroundings that will be most evident to passersby and abutters."

OPINION

1. Do the flyer and special permits constitute a guarantee that an existing buffer at the Property "will remain in its present size and state?"

In our opinion, based upon the facts described above, the flyer and special permits do not constitute a permanent guarantee (i.e., a legally enforceable restriction) that a specific buffer existing at the Property in 1992 would "remain in its [then] present size and state."

The flyer sent by the Building Committee is simply informational in nature. For that reason, in our opinion, no representations made in the flyer could create a requirement that the Town maintain any specific buffer. In our further opinion, only a special permit condition imposed by the Zoning Board of Appeals or a restriction imposed by Town Meeting on the use of the land could impose a legal restriction of this nature.

The 1992 Public Safety Facility special permit contains a condition that the Facility itself be set back at least 90 feet from the easterly property line. It is critical to determine whether the Housing Parcel is proposed to be located within the relevant 90-foot area described in the special permit condition. If it is, where it is arguable that the condition could reasonably be interpreted as a limitation on the placement of any structure within the 90-foot area, in our opinion, the Town and/or

KOPELMAN AND PAIGE, P.C.

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Town Administrator
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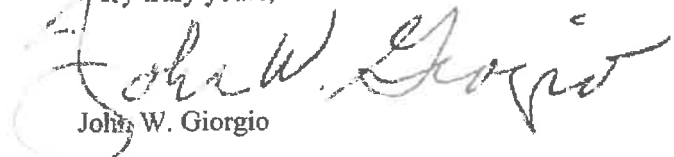
to "transfer...the land from one purpose to the other." Harris, at 243. Since the Property was acquired for the purpose of a public safety facility, Town Meeting must vote by a two-thirds majority under G.L. c.40, §§15 and 15A to transfer the Property from the Board of Selectmen for public safety facility purposes to the Board of Selectmen for affordable housing purposes and for the purpose of sale or lease. Additionally, in accordance with G.L. c.40, §3, Town Meeting must authorize the Board of Selectmen to dispose of the property. Finally, in accordance with the provisions of G.L. c.40, §§15 and 15A, the custodian of the land, here the Board of Selectmen as Town Meeting did not specify another custodian, must vote that such property is no longer required for the purposes for which the property is held. Lastly, since the Property, including the proposed Housing Parcel, was acquired by eminent domain, Town Meeting should specify, under G.L. c.40, §15, the minimum amount to be paid for the Housing Parcel.

We also note that if the Town decides to convey or lease the Housing Parcel to a private developer for the construction of affordable housing and the fair market value of the land and/or the lease exceeds \$35,000, the Town cannot dispose of the Housing Parcel by sale or lease unless it issues a Request for Proposals under G.L. c.30B, §16. Furthermore, if the Town conveys the fee interest in the Housing Parcel to a private developer for affordable housing purposes, the Town may consider imposing or obtaining a recorded restriction on the Housing Parcel limiting use of the parcel to affordable housing purposes.

While we have addressed many issues in this letter concerning the proposed transaction, this opinion is offered as part of the Town's selection process for Town Counsel and is based only upon the limited facts set forth above. We cannot provide complete advice on the transaction, however, as we do not have access to all of the relevant facts and documents. Furthermore, where we are not Town Counsel, the analysis set forth herein is informational in nature only, is not intended to be relied upon, and the Town must seek and rely upon the advice of the Town's appointed Town Counsel in moving forward with this matter.

Please contact me at (800) 548-3522 if you have any further questions concerning this matter.

Very truly yours,



John W. Giorgio

JWG/bp
516188v6/80000/0028

**Truro Select Board Meeting
Tuesday, February 11, 2020
Truro Town Hall**

Select Board Members Present: Janet Worthington, Chair; Susan Areson, Kristen Reed, Robert Weinstein

Present: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark; Attorney Jonathan Silverstein, Town Counsel

Chair Janet Worthington called the meeting to order at 5:00 p.m.

PUBLIC COMMENT

Joan Holt asked if Truro had to use the new voting tabulator for the upcoming primary election. Ms. Palmer said she would check if there was a possibility of postponing the process.

Chris Lucy clarified information that had been mentioned at Candidate's Night regarding costs at the Transfer Station and the Charter charge to fill vacancies on the Select Board.

SELECT BOARD ACTION

Cape Cod Commission Update

Executive Director of the Cape Cod Commission Kristy Senatori and Truro Representative Kevin Grunwald gave updates on three Commission plans and some upcoming priority work. The first update was for the Regional Policy Plan. They have streamlined their regulatory review process and now are concentrating on community activity centers and have performance measures included, Ms. Senatori said. The Comprehensive Economic Development Strategy Plan was updated and looks at the regional economy. Designation as an economic development district makes them eligible for federal funding. The third plan was the Regional Transportation Plan, which takes a longer term look at transportation and infrastructure investments. All three plans were in aligned with the Cape Cod Commission Act. The Commission continues to update their 208 Water Management Plan and work with the communities. The Cape and Islands Water Protection Fund, which was passed last year, is now providing a revenue stream. The Commission is working on coastal resiliency efforts for the Cape. They have completed a three-year study with National Oceanic and Atmospheric Association (NOAA) on ways to communicate the impact of environmental and socio-economic impact of coastal resiliency and climate change. This is available on their website. The Commission will be moving forward with a larger climate initiative. Finally, they continue to work with the communities on housing and a regional housing strategy to align zoning, where it makes sense, to housing needs for the Cape. Ms. Senatori gave the Board a few copies of the Cape Cod Commission 2019 Year End Review.

Kevin Grunwald has been representative to the Cape Cod Commission from Truro since 2013. He said that the Commission's Regional Policy Plan has provided the template for Truro's Local

Westin & Simpson was able to reduce the market adjustment from 10% to 7%. They also reduced the Year-1 escalation figures from 6% to 5% and Year-2 from 6% to 4%. This was based on discussion of anticipated escalation rates with four different contractors. With all those changes, there is a reduction to the overall architectural and engineering fees and the OPM fees which are based on the overall percentage for the project. The final adjustment was a reduction in the communication/low voltage system allowance. With all the proposed revisions, the overall cost of the project was reduced from \$20,650,000 to \$17,982,000. That is a \$2,668,000 reduction. Contingencies are still built in because it is early in the process, Mr. Alberti said. He showed how this compared with square feet costs for other communities. The \$498 per square foot cost for this project was very reasonable for comparison purposes, he said.

Mr. Alberti listed the inquiries Westin & Sampson had received about the project: how were the potential sites analyzed and ranked; how will water for domestic use and fire protection be handled; what proactive measures would be incorporated into the salt shed to prevent pollution; what protective measures would be included in the building to prevent pollution; how will the stormwater be managed; can the existing buildings be renovated and reused; and are there any noise or visual barriers proposed around the site. In response, he reviewed the four locations that had been considered in the site selection process. He explained the generic test to see about the facility fitting on a site. This took into consideration that most of the facility needs to be on the first floor, but some office space could be built on a second level. However, it does not reduce the footprint very much. The site beside the Public Safety Facility passed the fit test and for environmental concerns. He explained that the site near the Transfer Station was not suitable because of environmental issues. The buildings did not fit at that location.

Janet Worthington asked for the size of the existing DPW facility and the difference in the proposed facility. Mr. Alberti said he had compared the existing building space and the exterior storage space. This provided a more accurate comparison because equipment being stored outside often goes into the new facility. The proposed facility is for 29,600 square feet. The current building has 11,700 square feet and exterior storage of 8,300 square feet, which, rounded off, equals 20,000 square feet. Mr. Alberti said that the 29,600 square feet provides bathroom, shower, locker, circulation and egress that meet code. Ms. Worthington said she asked because of the space issues for locating the facility. The site near the Transfer Station allowed for 20,000 square feet, Mr. Alberti said. The fourth site considered was the existing one, examined for environmental receptors as well as fit for size. Although the facility would fit, there are Zone 1 and Zone 2 well, already in non-conformance, disqualifying the site as a suitable location.

Mr. Alberti addressed the question on water for domestic use and fire protection. He said there are many steps in the design phase to check flow and pressure. Based on preliminary review Westin & Sampson anticipates that domestic service will be provided from the existing water main. Fire protection is expected to be provided with a cistern and fire pump.

In response to the question on protective measure for the new salt shed, Mr. Alberti explained how the enclosed structure is designed to prevent pollution and to protect the investment in the

Members of the audience asked questions and expressed their concerns. Dana Pazolt asked about the project being one of significant regional impact and asked why it couldn't be combined with the state equipment barn. Rae Ann Palmer said that the Town had talked to state about acquiring or sharing the property with the state, but the proposal didn't go forward. The building condition and possible environmental issues were deterrents.

Mr. Alberti responded to Kevin Kuechler's three water related questions. Mr. Alberti addressed the possibility of reconfiguring Zone 1, but it was not possible to move the operation entirely out of the Zone 1 area at the current location. Regarding relocating the well, there is no location that has been identified, Mr. Alberti said. This was based on Zone 1 restrictions. Janet Worthington said she would like more further information on that. Susan Areson asked about removing the salt shed if that would give more opportunity for reconfiguration. Mr. Alberti said he will look into this further. Michael Janopolis said he had spoken to former DPW Director Paul Morris about Snow's Field, a Town-owned property as a possible location for a well for the DPW facility at its current site. Dana Pazolt said there is a property abutting the DPW for sale. He said it would save money to buy that and expand the site we have. Janet Worthington said the Town would investigate it. Mr. Alberti said that Kevin Kuechler's second question about Zone 2 at the proposed site had not been a deciding factor in choice of that location. Mr. Kuechler's third question on design for a salt shed to prevent salt's destructive capabilities or for relocation elsewhere was something Mr. Alberti said he would have to discuss with the DPW.

Paul Scannell sought a more detailed explanation of why other sites had failed. Mr. Alberti said he will check regulations further, but the designation was pass/fail. Richard Wood asked about building size, outdoor storage needs and storing equipment in a second location. Mr. Alberti said there are cost impacts of time spent in non-productive labor driving back and forth with equipment from a second site. Consolidation works more efficiently. At Kristen Reed's request, Mr. Alberti displayed the slide for inside storage of equipment.

Jennifer Cohen posed three questions. Mr. Alberti responded that money has been budgeted for the costs of levelling the property and installing retaining walls. He said he could do a Truro-specific cost analysis of reducing indoor space and putting equipment outside, but storage area is the most inexpensive space to build and equipment needs protection from cold climate. Ms. Cohen's third question was about relocation of the salt shed.

Laurie Lee asked for more public opportunities for participation in the planning process. She said her homeowners' association has felt left out since 2015. Janet Worthington said they just need to show up at meetings when the DPW facility is on the agenda. Rae Ann Palmer reviewed the introduction of a feasibility study, approved at 2015 Town Meeting, and the procurement process, which is not done at public meetings. From this point forward, the DPW facility discussions will be held in publicly noticed meetings, she said.

Janet Worthington read the letter from Paul Morris into record as he had requested. Mr. Morris expressed his concerns about costs for new site. He said the facility should be in scale for what the DPW does. The site beside the Public Safety Facility had been examined before with consideration of noise levels and traffic dangers. Increased traffic makes the site more of a danger now. The site's high elevation should be reserved for a future water tower. He considered contamination of a new site from chemical and salt runoff. He looked at options for improving the current facility or considering other sites. He concluded, "Let's get this right."

Attorney Jonathan Silverstein offered legal opinions requested by David Reed on the adequacy of the original Town Meeting vote of taking the land for public safety. He said another two-thirds, Town Meeting vote would be needed for the new site proposal. Regarding building height, the DPW facility would require a Special Permit just as the Public Safety Facility had for exceeding 30 ft. The original condition for a 90 ft. buffer to the east at the Public Safety Facility might no longer be binding, but it doesn't matter because the DPW building would require a new Special Permit, he said.

Attorney Silverstein responded to Regan McCarthy's questions. The 2008 ANR plan that divides the property into two lots does not require them to be treated separately. They have stayed under common ownership. It would be easy to reset the lot through a perimeter plan. He said that the Natural Heritage maps had been revised recently and do not indicate endangered species on the site.

Jennifer Cohen said that 2017 maps eliminated the parcel from Natural Heritage & Endangered Species protected habitat, but there could be restrictions on development as it is still an area of concern. Mr. Alberti said the Natural Heritage maps determined Westin & Sampson's planning,

John Reimer asked about review by the Cape Cod Commission. Mr. Alberti said he had sent in notification, but towns are typically exempt from review. Town Planner Jeff Ribeiro said that the Cape Cod Commission does not review municipal projects.

Chair Janet Worthington said this was the beginning of more meetings and more transparency. There will be chances for the public to weigh in on what happens next.

Rental Registration Fee for 2020

Rae Ann Palmer explained the requirements for the Select Board review of the rental registration program fees for homeowners who are renting homes for 2020 summer season for less than 120 days. Last year the Town was uncertain about revenues from the short-term rental fee. There has been an increase of \$168,000, she said. The rental registration fee is one of the revenues that goes into the Budget. If the Town were to choose not to continue, that revenue would be lost. It also helps to offset some of the costs related to Transfer Station and Beach stickers. Monitoring of the short term rental keeping the rental fee of \$200. She said a large portion of the summer rentals are done by condominiums and cottage colonies. Since they are licensed by the Health Board, they are not required to do a rental registration. This poses some issues for use of the

Curb Cut for 587 Shore Rd.

DPW Director Jarrod Cabral and Project Manager Eric Newhouse explained Application #1 and #2 for a curb cut for 587 Shore Rd. Mr. Newhouse explained that the applications pertain to a building permit that the homeowner and various engineers have been trying to get for the property. For some reason, the curb cut application had been overlooked. He is trying to get the project back on track, and the curb cut is the last piece that needs to be completed.

Janet Worthington asked what curb cuts had been done without a permit. Mr. Newhouse said there were two side by side curb cuts that had been made, but the third curb cut permit application had not been submitted. The owner is now applying for the third curb cut, he said. Jarrod Cabral explained that there have been different engineers who have worked on the project. The third engineer has received site plan approval from the Conservation Commission. If Mr. Cabral had seen the plan, he would have said that it needed a curb cut; however, it had not been submitted to him. He said that Mr. Newhouse is now trying to make things right and finish the project. Mr. Newhouse said he has finished up the Orders of Conditions placed on the property. He said that the Conservation Agent had been pleased with the outcome. Mr. Newhouse has worked with Jarrod Cabral on all the paperwork and has brought the curb cut permits before the Select Board for approval. Mr. Cabral said he cannot give a variance for a third curb cut, so that decision is up to the Select Board. Mr. Newhouse said that the third curb cut is there, but like other Shore Rd. curb cuts, it is very open. It has been kept natural, and there is a catch basin in place. Adjacent to the curb cut, there is a stone barrier to prevent runoff into the wetlands. That has been effective, and there has been no runoff onto Route 6 from this property, he said. Jarrod Cabral said that he had recommended an asphalt berm for better prevention of runoff. It would be placed right by the other curb cuts.

Janet Worthington expressed concern over people not following regulations, but she could see how the plan works environmentally and safety-wise. She asked if there were any fines, but Mr. Cabral said there were no fines mentioned anywhere in the policy. Ms. Palmer said she and Jarrod Cabral had researched the history of the project, begun at the time the of the bylaw change, and found that there was some staff error in communications since the first permit was for pilings. There has also been miscommunication between the property owner and engineers. She said the Town needs to take some responsibility for the error. Jarrod Cabral said there have been three different Building Commissioners, who have been involved in the process. Mr. Newhouse said he wants to see things go in the right direction as the project moves forward. Ms. Worthington asked about the addition of the asphalt berm, and Jarrod Cabral said that was a part of the curb cut request. She asked if there were any issues with traffic or the sight lines. Mr. Cabral said that he had sent an e-mail, and the Police Chief had signed off on these aspects. Mr. Newhouse explained what had been done with the initial three cottages for the septic systems under the driveways. There is an embankment involved because of the height of the land. He has turned one of the driveways into parking for the main house. There is area for emergency vehicle turn around. Safety, turn-around space and the egress to Shore Road were all considered in the curb cut plan, Mr. Newhouse said.

the public look for the agenda for their monthly meetings, currently devoted to updating their Open Space Plan.

Kristen Reed distributed the Cape Cod Commission information sheet on strategic zoning. She read Governor Baker's quotes on how zoning is not working. Ms. Reed had attended the Recycling Committee's meeting and reported that the fee schedule has remained the same, waste at the Transfer Station has decreased and recycling is up. The Recycling Committee has submitted the request for water recharging stations.

Janet Worthington said that the Budget Task Force has been studying the draft Fiscal Year 2021 Budget and working to balance the rising costs with services. She appreciates the hard work put into the effort by the Budget Task Force. Ms. Worthington also recommended the programs at the Council on Aging, especially the lunch offered once a week. Programs of interest are expected to be added to the lunches. She suggested checking online to see the many things happening at the COA.

TOWN MANAGER'S REPORT

Town Manager Rae Ann Palmer said the Police Chief had just announced that Truro had received a grant for E-citations. By March, there will be printers in police vehicles that will produce the citations. Ms. Palmer has been working on the FY2021 Budget and preparations for Annual Town Meeting.

ADDITIONAL COMMENTS

Janet Worthington asked for an update from the Police Chief on the new hands-free driving regulations. Kristen Reed asked that people please stop stealing campaign signs to show respect for the democratic process and the candidates.

NEXT MEETING AGENDA

Ms. Palmer reviewed agenda items for the February 25, 2020 Select Board meeting. These include: Conservation Commission interviews for new members; the FY21 Budget, the draft Warrant for Annual Town Meeting; discussion of the use of the Dennis Gift Fund; and a report on hands-free driving regulations.

CORRECTION OF PUBLIC COMMENT

John Reimer came forward to correct what he perceived as an inaccurate statement made during the Public Comment period. He cited Charter regulation 4-1-2 regarding filling a vacancy on the Select Board.

ADJOURNMENT

Robert Weinstein moved to adjourn, and the motion carried 4-0.

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

**TRU-HAVEN
HOMEOWNERS'
ASSOCIATION**
P.O. Box 537
Truro, MA 02666

BOARD OF DIRECTORS
Jennifer Cohen, President
Bob Doolittle
Michael Janoplis

Kevin Kuechler
Fred Moss
Phil Smith

February 3, 2015

Carl Brotman
Chair, Truro Housing Authority
PO Box 2012
Truro MA 02666

Dear Mr. Brotman,

Thank you for your recent update on the status of THA's deliberations concerning the use of the subdivided property adjacent to the Safety Facility. Our Association Board believes it is a wise step to understand the full history, legal ramifications, and the current conditions affecting that parcel and thank the THA for its decision to pursue the many questions at issue.

The Tru-Haven Homeowner's Association is comprised of some 45 properties derived from the same property that created the Safety Facility parcel (including the subdivision). We truly appreciate your cooperation and proactive communication with us. We remain concerned about use of this property for anything other than the existing woodland buffer described in various official records tied to the development of the original Safety Facility.

Other areas of concern include possible impact on water, wildlife, and on the surrounding covenanted, residential communities which are Associations with private roads and spaces. A related concern is the Town's use of an "ANR" in further developing any property that abuts the residential communities protected by the 1990s decisions about the original Safety Facility parcel. We trust that all of these issues can be thoroughly reviewed before further action is taken.

In addition to asking THA to address the issues we and others have raised, we also request that THA (or any other Town office or body) commit to holding one or more public hearings before taking this to Town vote, should any actual use be proposed in the future for this land, and, further, that such hearing(s) be held when members of our Association are largely present, that is, in the Memorial Day - Labor Day period.

Thanks and best regards,

Jen Cohen
President

cc: Rae Ann Palmer, Town Administrator
Board of Selectmen

Jarrood Cabral

From: Jarrod Cabral
Sent: Tuesday, February 4, 2020 7:22 AM
To: Alberti, Jeffrey
Subject: FW: Comment letter on DPW Facility Study
Attachments: Letter - Commentary on the Report on the DPW Site=2-3-20.docx

Good morning, Residents really wanted to know what disqualified the other sites, details about Town water usage, drainage salt barn. Below are my responses, and I stated the consultant will be presenting an update on the 11th.

Water - Complete flow test, list fire suppression alternatives as needed, list alternatives as needed for domestic water if we can't tie into watermain.

Site Deficiencies DOT - Site contamination from neighboring property, possible overlapping onto NPS property.
Mitigation costs, site is too small to house entire DPW

Transfer Station - The Town does not currently have a post closure certification, the Town would need relief from Zoning, and abutters - NPS and DOT
Too small of a location.

Current location - Non conforming zone 1, will limit parking for Town Hall business, would need regulatory relief from DEP, mitigation costs.

Would there be additional costs to build in this location where would the Temp operation be located?

Liability during construction – Will we slow down emergency response during construction
The traffic is bad, will there be a traffic study?
What would it cost to renovate the existing building?
What protective measures would there be incorporated into the new salt barn to insure no pollution?
Will there be noise buffering, a fence or natural fence or combination of both?
Will storm water be contained on the property please explain?
How will vehicles be washed?
How will chemicals be stored oil, fuel, etc....
Can the salt barn stay where it is?
Can the salt barn go to the Transfer Station?
Can we have a monitoring well?

Positives for Route 6 location.

Osha compliance.

Tank containment system for washing vehicles.

Trench drain in main garage for controlling spills.

Potential shared IT room - Back up server to Town Hall/Police/fire 911 system.

Gas pump location.

Disaster preparedness continuity – All three Departments in one location, to include Eversource staging out of that area as needed.

Soft cost savings associated with vehicle maintenance for all three departments.

**Truro Select Board Meeting
Tuesday, February 11, 2020
Truro Town Hall**

Select Board Members Present: Janet Worthington, Chair; Susan Areson, Kristen Reed, Robert Weinstein

Present: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Clark; Attorney Jonathan Silverstein, Town Counsel

Chair Janet Worthington called the meeting to order at 5:00 p.m.

PUBLIC COMMENT

Joan Holt asked if Truro had to use the new voting tabulator for the upcoming primary election. Ms. Palmer said she would check if there was a possibility of postponing the process.

Chris Lucy clarified information that had been mentioned at Candidate's Night regarding costs at the Transfer Station and the Charter charge to fill vacancies on the Select Board.

SELECT BOARD ACTION

Cape Cod Commission Update

Executive Director of the Cape Cod Commission Kristy Senatori and Truro Representative Kevin Grunwald gave updates on three Commission plans and some upcoming priority work. The first update was for the Regional Policy Plan. They have streamlined their regulatory review process and now are concentrating on community activity centers and have performance measures included, Ms. Senatori said. The Comprehensive Economic Development Strategy Plan was updated and looks at the regional economy. Designation as an economic development district makes them eligible for federal funding. The third plan was the Regional Transportation Plan, which takes a longer term look at transportation and infrastructure investments. All three plans were in aligned with the Cape Cod Commission Act. The Commission continues to update their 208 Water Management Plan and work with the communities. The Cape and Islands Water Protection Fund, which was passed last year, is now providing a revenue stream. The Commission is working on coastal resiliency efforts for the Cape. They have completed a three-year study with National Oceanic and Atmospheric Association (NOAA) on ways to communicate the impact of environmental and socio-economic impact of coastal resiliency and climate change. This is available on their website. The Commission will be moving forward with a larger climate initiative. Finally, they continue to work with the communities on housing and a regional housing strategy to align zoning, where it makes sense, to housing needs for the Cape. Ms. Senatori gave the Board a few copies of the Cape Cod Commission 2019 Year End Review.

Kevin Grunwald has been representative to the Cape Cod Commission from Truro since 2013. He said that the Commission's Regional Policy Plan has provided the template for Truro's Local

Westin & Simpson was able to reduce the market adjustment from 10% to 7 %. They also reduced the Year-1 escalation figures from 6% to 5% and Year-2 from 6% to 4%. This was based on discussion of anticipated escalation rates with four different contractors. With all those changes, there is a reduction to the overall architectural and engineering fees and the OPM fees which are based on the overall percentage for the project. The final adjustment was a reduction in the communication/low voltage system allowance. With all the proposed revisions, the overall cost of the project was reduced from \$20,650,000 to \$17,982,000. That is a \$2,673,000 reduction. Contingencies are still built in because it is early in the process, Mr. Alberti said. He showed how this compared with square feet costs for other communities. The \$498 per square foot cost for this project was very reasonable for comparison purposes, he said.

Mr. Alberti listed the inquiries Westin & Sampson had received about the project: how were the potential sites analyzed and ranked; how will water for domestic use and fire protection be handled; what proactive measures would be incorporated into the salt shed to prevent pollution; what protective measures would be included in the building to prevent pollution; how will the stormwater be managed; can the existing buildings be renovated and reused; and are there any noise or visual barriers proposed around the site. In response, he reviewed the four locations that had been considered in the site selection process. He explained the generic test to see about the facility fitting on a site. This took into consideration that most of the facility needs to be on the first floor, but some office space could be built on a second level. However, it does not reduce the footprint very much. The site beside the Public Safety Facility passed the fit test and for environmental concerns. He explained that the site near the Transfer Station was not suitable because of environmental issues. The buildings did not fit at that location.

Janet Worthington asked for the size of the existing DPW facility and the difference in the proposed facility. Mr. Alberti said he had compared the existing building space and the exterior storage space. This provided a more accurate comparison because equipment being stored outside often goes into the new facility. The proposed facility is for 29,600 square feet. The current building has 11,700 square feet and exterior storage of 8,300 square feet, which, rounded off, equals 20,000 square feet. Mr. Alberti said that the 29,600 square feet provides bathroom, shower, locker, circulation and egress that meet code. Ms. Worthington said she asked because of the space issues for locating the facility. The site near the Transfer Station allowed for 20,000 square feet, Mr. Alberti said. The fourth site considered was the existing one, examined for environmental receptors as well as fit for size. Although the facility would fit, there are Zone 1 and Zone 2 well, already in non-conformance, disqualifying the site as a suitable location.

Mr. Alberti addressed the question on water for domestic use and fire protection. He said there are many steps in the design phase to check flow and pressure. Based on preliminary review Westin & Sampson anticipates that domestic service will be provided from the existing water main. Fire protection is expected to be provided with a cistern and fire pump.

In response to the question on protective measure for the new salt shed, Mr. Alberti explained how the enclosed structure is designed to prevent pollution and to protect the investment in the

Members of the audience asked questions and expressed their concerns. Dana Pazolt asked about the project being one of significant regional impact and asked why it couldn't be combined with the state equipment barn. Rae Ann Palmer said that the Town had talked to state about acquiring or sharing the property with the state, but the proposal didn't go forward. The building condition and possible environmental issues were deterrents.

Mr. Alberti responded to Kevin Kuechler's three water related questions. Mr. Alberti addressed the possibility of reconfiguring Zone 1, but it was not possible to move the operation entirely out of the Zone 1 area at the current location. Regarding relocating the well, there is no location that has been identified, Mr. Alberti said. This was based on Zone 1 restrictions. Janet Worthington said she would like more further information on that. Susan Areson asked about removing the salt shed if that would give more opportunity for reconfiguration. Mr. Alberti said he will look into this further. Michael Janopolis said he had spoken to former DPW Director Paul Morris about Snow's Field, a Town-owned property as a possible location for a well for the DPW facility at its current site. Dana Pazolt said there is a property abutting the DPW for sale. He said it would save money to buy that and expand the site we have. Janet Worthington said the Town would investigate it. Mr. Alberti said that Kevin Kuechler's second question about Zone 2 at the proposed site had not been a deciding factor in choice of that location. Mr. Kuechler's third question on design for a salt shed to prevent salt's destructive capabilities or for relocation elsewhere was something Mr. Alberti said he would have to discuss with the DPW.

Paul Scannell sought a more detailed explanation of why other sites had failed. Mr. Alberti said he will check regulations further, but the designation was pass/fail. Richard Wood asked about building size, outdoor storage needs and storing equipment in a second location. Mr. Alberti said there are cost impacts of time spent in non-productive labor driving back and forth with equipment from a second site. Consolidation works more efficiently. At Kristen Reed's request, Mr. Alberti displayed the slide for inside storage of equipment.

Jennifer Cohen posed three questions. Mr. Alberti responded that money has been budgeted for the costs of levelling the property and installing retaining walls. He said he could do a Truro-specific cost analysis of reducing indoor space and putting equipment outside, but storage area is the most inexpensive space to build and equipment needs protection from cold climate. Ms. Cohen's third question was about relocation of the salt shed.

Laurie Lee asked for more public opportunities for participation in the planning process. She said her homeowners' association has felt left out since 2015. Janet Worthington said they just need to show up at meetings when the DPW facility is on the agenda. Rae Ann Palmer reviewed the introduction of a feasibility study, approved at 2015 Town Meeting, and the procurement process, which is not done at public meetings. From this point forward, the DPW facility discussions will be held in publicly noticed meetings, she said.

Janet Worthington read the letter from Paul Morris into record as he had requested. Mr. Morris expressed his concerns about costs for new site. He said the facility should be in scale for what the DPW does. The site beside the Public Safety Facility had been examined before with consideration of noise levels and traffic dangers. Increased traffic makes the site more of a danger now. The site's high elevation should be reserved for a future water tower. He considered contamination of a new site from chemical and salt runoff. He looked at options for improving the current facility or considering other sites. He concluded, "Let's get this right."

Attorney Jonathan Silverstein offered legal opinions requested by David Reed on the adequacy of the original Town Meeting vote of taking the land for public safety. He said another two-thirds, Town Meeting vote would be needed for the new site proposal. Regarding building height, the DPW facility would require a Special Permit just as the Public Safety Facility had for exceeding 30 ft. The original condition for a 90 ft. buffer to the east at the Public Safety Facility might no longer be binding, but it doesn't matter because the DPW building would require a new Special Permit, he said.

Attorney Silverstein responded to Regan McCarthy's questions. The 2008 ANR plan that divides the property into two lots does not require them to be treated separately. They have stayed under common ownership. It would be easy to reset the lot through a perimeter plan. He said that the Natural Heritage maps had been revised recently and do not indicate endangered species on the site.

Jennifer Cohen said that 2017 maps eliminated the parcel from Natural Heritage & Endangered Species protected habitat, but there could be restrictions on development as it is still an area of concern. Mr. Alberti said the Natural Heritage maps determined Westin & Sampson's planning,

John Reimer asked about review by the Cape Cod Commission. Mr. Alberti said he had sent in notification, but towns are typically exempt from review. Town Planner Jeff Ribeiro said that the Cape Cod Commission does not review municipal projects.

Chair Janet Worthington said this was the beginning of more meetings and more transparency. There will be chances for the public to weigh in on what happens next.

Rental Registration Fee for 2020

Rae Ann Palmer explained the requirements for the Select Board review of the rental registration program fees for homeowners who are renting homes for 2020 summer season for less than 120 days. Last year the Town was uncertain about revenues from the short-term rental fee. There has been an increase of \$168,000, she said. The rental registration fee is one of the revenues that goes into the Budget. If the Town were to choose not to continue, that revenue would be lost. It also helps to offset some of the costs related to Transfer Station and Beach stickers. Monitoring of the short term rental keeping the rental fee of \$200. She said a large portion of the summer rentals are done by condominiums and cottage colonies. Since they are licensed by the Health Board, they are not required to do a rental registration. This poses some issues for use of the

Curb Cut for 587 Shore Rd.

DPW Director Jarrod Cabral and Project Manager Eric Newhouse explained Application #1 and #2 for a curb cut for 587 Shore Rd. Mr. Newhouse explained that the applications pertain to a building permit that the homeowner and various engineers have been trying to get for the property. For some reason, the curb cut application had been overlooked. He is trying to get the project back on track, and the curb cut is the last piece that needs to be completed.

Janet Worthington asked what curb cuts had been done without a permit. Mr. Newhouse said there were two side by side curb cuts that had been made, but the third curb cut permit application had not been submitted. The owner is now applying for the third curb cut, he said. Jarrod Cabral explained that there have been different engineers who have worked on the project. The third engineer has received site plan approval from the Conservation Commission. If Mr. Cabral had seen the plan, he would have said that it needed a curb cut; however, it had not been submitted to him. He said that Mr. Newhouse is now trying to make things right and finish the project. Mr. Newhouse said he has finished up the Orders of Conditions placed on the property. He said that the Conservation Agent had been pleased with the outcome. Mr. Newhouse has worked with Jarrod Cabral on all the paperwork and has brought the curb cut permits before the Select Board for approval. Mr. Cabral said he cannot give a variance for a third curb cut, so that decision is up to the Select Board. Mr. Newhouse said that the third curb cut is there, but like other Shore Rd. curb cuts, it is very open. It has been kept natural, and there is a catch basin in place. Adjacent to the curb cut, there is a stone barrier to prevent runoff into the wetlands. That has been effective, and there has been no runoff onto Route 6 from this property, he said. Jarrod Cabral said that he had recommended an asphalt berm for better prevention of runoff. It would be placed right by the other curb cuts.

Janet Worthington expressed concern over people not following regulations, but she could see how the plan works environmentally and safety-wise. She asked if there were any fines, but Mr. Cabral said there were no fines mentioned anywhere in the policy. Ms. Palmer said she and Jarrod Cabral had researched the history of the project, begun at the time the of the bylaw change, and found that there was some staff error in communications since the first permit was for pilings. There has also been miscommunication between the property owner and engineers. She said the Town needs to take some responsibility for the error. Jarrod Cabral said there have been three different Building Commissioners, who have been involved in the process. Mr. Newhouse said he wants to see things go in the right direction as the project moves forward. Ms. Worthington asked about the addition of the asphalt berm, and Jarrod Cabral said that was a part of the curb cut request. She asked if there were any issues with traffic or the sight lines. Mr. Cabral said that he had sent an e-mail, and the Police Chief had signed off on these aspects. Mr. Newhouse explained what had been done with the initial three cottages for the septic systems under the driveways. There is an embankment involved because of the height of the land. He has turned one of the driveways into parking for the main house. There is area for emergency vehicle turn around. Safety, turn-around space and the egress to Shore Road were all considered in the curb cut plan, Mr. Newhouse said.

the public look for the agenda for their monthly meetings, currently devoted to updating their Open Space Plan.

Kristen Reed distributed the Cape Cod Commission information sheet on strategic zoning. She read Governor Baker's quotes on how zoning is not working. Ms. Reed had attended the Recycling Committee's meeting and reported that the fee schedule has remained the same, waste at the Transfer Station has decreased and recycling is up. The Recycling Committee has submitted the request for water recharging stations.

Janet Worthington said that the Budget Task Force has been studying the draft Fiscal Year 2021 Budget and working to balance the rising costs with services. She appreciates the hard work put into the effort by the Budget Task Force. Ms. Worthington also recommended the programs at the Council on Aging, especially the lunch offered once a week. Programs of interest are expected to be added to the lunches. She suggested checking online to see the many things happening at the COA.

TOWN MANAGER'S REPORT

Town Manager Rae Ann Palmer said the Police Chief had just announced that Truro had received a grant for E-citations. By March, there will be printers in police vehicles that will produce the citations. Ms. Palmer has been working on the FY2021 Budget and preparations for Annual Town Meeting.

ADDITIONAL COMMENTS

Janet Worthington asked for an update from the Police Chief on the new hands-free driving regulations. Kristen Reed asked that people please stop stealing campaign signs to show respect for the democratic process and the candidates.

NEXT MEETING AGENDA

Ms. Palmer reviewed agenda items for the February 25, 2020 Select Board meeting. These include: Conservation Commission interviews for new members; the FY21 Budget, the draft Warrant for Annual Town Meeting; discussion of the use of the Dennis Gift Fund; and a report on hands-free driving regulations.

CORRECTION OF PUBLIC COMMENT

John Reimer came forward to correct what he perceived as an inaccurate statement made during the Public Comment period. He cited Charter regulation 4-1-2 regarding filling a vacancy on the Select Board.

ADJOURNMENT

Robert Weinstein moved to adjourn, and the motion carried 4-0.

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Submission to the Board of Appeals
Town of Truro
November 18, 1992

SUMMARY OF REQUEST FOR SPECIAL PERMIT
Submitted by Town Building Committee
Truro Fire Rescue Police Station

The Town of Truro Zoning Bylaw, Section VIII.C. Special Permits, Paragraph 3 states:

"Special permits may be approved only after a finding by the Board of Appeals or Planning Board (as applicable) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this Bylaw."

1. The proposed Fire Rescue Police Station exceeds the allowable height to the highest point of the gable roof of 30 feet as defined in Section IX.5.A.
2. The Town Building Committee, on behalf of the proposed Fire Rescue Police Station, has applied for a special permit under Section IX.5.D. to exceed the 30 foot height limit.

As Lloyd Rose's comments at the hearing Monday night indicated, the 30' height provisions came from measuring Cape Cod houses. As has been noted, the 30' height limit in the Bylaw does not distinguish among residential, commercial or municipal uses, but its origins were clearly residential. We have to assume that drafters of the Bylaw included the Special Permit exception because they anticipated certain situations would arise where more height was appropriate. The Bylaw allows for appropriate exceptions to be granted by the Board of Appeals, recognizing that there are instances when the use or character of a building warrants relief from the general height provision, such as a barn, church, town hall, etc.

3. The building as designed was based on the following elements:
 - a. The function of the apparatus garage is to hold the fire trucks and rescue vehicles. The width of 63 feet is to meet the needs of the department for three double bays; the bay spacing is based on the size of present and future fire equipment. High ceilings are essential for the equipment. This raises the eave line and accordingly the roof line.

The design was prepared by working closely with the Fire, Rescue and Police Departments. Many hours were spent working together on

buffered from the adjoining residential zone by the large site area and extensive trees.

- c. The fire rescue police station is a unique, specific, municipal use and does not set a precedent for other structures whether commercial or residential. Given the specific, technical requirements of a town fire station, we do not think the Board of Appeals is opening the door to other applicants.

5. In summary:

- a. The building represents an appropriate style for the Town and has been well received.
- b. The overall height is a result of the functional requirements (apparatus bay) and traditional proportions. There are other possible solutions, but in our judgement, this is the preferred choice. In working with design of the building, the Committee has all along felt that harmony with the rural character of the town was its most important objective, and that the traditional barn image was consistent with this objective.
- c. Certain other existing buildings in town exceed 30 feet in height, are appropriate, and help define the rural character of the town (town hall, churches, barns, lighthouse, portions of the school).
- d. The request for a special permit is reasonable and consistent with the public good. The language of the Special Permit regulations speak of "harmony with the general public good and intent of the Bylaw."

The Building Committee feels that the type of architecture proposed is in harmony with the rural character of the town and that the roof is an appropriate solution.

The Committee feels that the request is in keeping with the intent of the Bylaw, which stipulates a general 30 foot height limit and specifically allows for appropriate exceptions.



**TOWN OF TRURO
1992 ANNUAL REPORT**



ARTICLE 11. Electric - Golf Course To see if the Town will vote to transfer from available funds receipts reserved for Appropriation, Golf Course, and to authorize the Board of Selectmen to solicit bids, enter contracts, and expend these funds for this purpose, the sum of \$1,500.00 to extend electricity from Highland Road to the Golf Course service garage, or take any other action relative thereto.

Requested by the Board of Selectmen

And you hereby directed to serve this Warrant by posting duly attested copies in each Post Office in Town, plus two public meeting places, fourteen days at least, before the date of said meeting.

Hereto fail not, and make due return of the Warrant, together with doings, thereon to the Town Clerk at time and place of said meeting. Given under our hands, on Tuesday, October 6, in the year of our Lord, nineteen hundred and ninety two.

We, the members of the Board of Selectmen, of the Town of Truro, have read the Warrant for the Special Town Meeting, to be held on Wednesday, October 21, 1992, at the Truro Central School.

Acting the capacity of the Board of Selectmen, do hereby grant our approval and permission for posting the above mentioned Warrant.

John H. Snow, Chairman

Bruce T. Tarvers

Robert J. Martin

Ruth Jacobs

Lloyd F. Rose

Board of Selectmen

Town of Truro

A true copy, attest:

Cynthia A. Slade

Town Clerk, Town of Truro

Sirs: I have served this Warrant by posting duly attested copies thereof at the following places: Dutra's Market, Punchy's Garage, Sonny's Station, Dorothy's Gift Shop, N. Truro Post Office, Truro Post Office, Duarte's Package Store, and the Truro Town Hall.

John R. Lundborn, Constable

October 7, 1992

**SPECIAL TOWN MEETING
TRURO CENTRAL SCHOOL
WEDNESDAY, OCTOBER 21, 1992**

In accordance with the warrant, Special Town Meeting was called to order at 7:32 p.m. by the Moderator, Malcolm H. Preston, having determined a legal quorum present (93 registered voters). The return of the warrant was read by the Town Clerk, Cynthia A. Slade, and the reading of the warrant was waived by voice vote.

The following business was conducted:

ARTICLE 1. Voted: to transfer from Free Cash the sum of \$50,000.00 to offset the Town's General Operating Budget.

So voted: unanimous voice vote.

ARTICLE 2. Voted: to transfer from Pamet Harbor Receipts Reserved for Appropriation, a sum of money not to exceed \$15,000.00 to fund the Town's share (75% State, 25% Town) of engineering costs to prepare for the dredging of Pamet Harbor.

So voted: unanimous voice vote.

ARTICLE 3. Voted: to transfer from Receipts Reserved for Appropriation, Golf, a sum of money not to exceed \$12,000.00 for the drilling of an irrigation well and the necessary plumbing to deliver said irrigation water to desired locations on the Highland Links, and to authorize the Board of Selectmen to solicit bids, enter contracts, and expend these funds for this purpose.

So voted: voice vote.

Special Town Meeting dissolved at 9:11 p.m.

A true copy, attest:

Cynthia A. Slade
Town Clerk, Town of Truro

TO: Michael J. Kaelberer, Town Accountant

RE: Financial Certificate, Special Town Meeting, October 21, 1992

ARTICLE	RAISE&APPROP	TRANSFER	
1. Operating Budget	(50,000.00)	50,000.00	Free Cash
2. Pamet Harbor		15,000.00	RRA-Pamet Harbor
3. Golf Course-Well		12,000.00	RRA-Golf
4. Fire Dept-Computer		3,400.00	RRA-Fire Dept
5. Copy Machine-Town Hall		5,685.00	Free Cash
11. Golf Course-Electric		1,500.00	RRA-Golf
TOTALS	(50,000.00)	87,585.00	

So certified,

Cynthia A. Slade
Town Clerk, Town of Truro

**COMMONWEALTH OF MASSACHUSETTS
MICHAEL JOSEPH CONNOLLY, SECRETARY**

STATE ELECTION

ss. Barnstable

To the Constable of the Town of Truro

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Elections to vote at:

TRURO CENTRAL SCHOOL

on **TUESDAY, THE THIRD DAY OF NOVEMBER, 1992** from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Election for the following offices:

**ELECTORS OF PRESIDENT AND VICE PRESIDENT
REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT
REPRESENTATIVE IN GENERAL COURT
COUNTY SHERIFF
COUNTY COMMISSIONER
ASSEMBLY DELEGATE**

**For the Commonwealth
Tenth Congressional District
First Councillor District
Cape & Islands Senatorial District
Fourth Barnstable Representative District
Barnstable County
Barnstable County
Truro-Barnstable County**

Decision of the Board of Appeals of Truro, Massachusetts

Property Owner: TOWN OF TRURO, by DONALD HOLTZ, agt/chr. of TOWN BLDG. COMMITTEE

Property Location: RTE 6 and PARKER DR.

Atlas Sheet: 39 Parcel: 172 Hearing Date: NOV. 16, 1992/DEC. DATE: 11/23/92

Special Permit [X]
Variance []
Building Commissioner Decision []
Other []

Vote: 4 Approve [X]
1 Disapprove []

For Purposes of: A Special Permit (pursuant to Section IX-A-5-D) is granted to the Town of Truro, through its Agent, Donald Holtz, Chairman of the Town Building Committee, for property located at Rte. 6 & Parker Dr., for the purpose of constructing a new police/fire facility according to plans submitted to the Building Commissioner of Truro. The new building will have a maximum ridge height of 38 ft. above grade in the apparatus bay, and Findings/Conditions: between 30 ft. and 32 ft. in the main building.

CONDITIONS AND FINDINGS:

1) A Truro Town Building Committee was appointed with the approval of Town Meeting (Dec. 13, 1988) in order to work with architects and engineers on the design of a new Fire-Rescue-Police facility. Numerous public meetings were held, and as the design procedure advanced, a floor plan and elevations were presented for public inspection. These floor plans and elevations, done to scale, noted all the pertinent dimensions except for the overall height of the structure. That height, however, was not misrepresented in the scaled drawings, and according to the testimony of the Architects and the Building Committee, the omission of that dimension on the scaled elevations was inadvertent. At no time in the planning period did anyone question the height of the building either to the Building Committee or to the Architects.

(continued on attached pg. 2)

I hereby certify this as a true and accurate record of the Board of Appeals.

Signature of Board of Appeals member

Date: 11/30/92

Received, Office of the Town Clerk

Signature of Town Clerk

Date: November 30, 1992

I hereby certify that this decision was filed with the Office of the Town Clerk on November 30, 1992 and 20 (twenty) days have elapsed since the date of filing.

Signature of Town Clerk

Date: December 22, 1992

NOTE: Any person aggrieved by a decision of the Board of Appeals may appeal to the Superior or land court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Mass. General Laws Chapter 40A Section 17)

A COPY OF THIS DECISION MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT

Cynthia A. Slade, Town Clerk, Town of Truro/ December 22, 1992

A true copy, attest:



BOARD OF APPEALS

TRURO, MASS.

-3-

TOWN OF TRURO - TOWN BUILDING COMMITTEE -- DECISION OF 11/23/92
(HEARING OF 11/16/92)



Cynthia A. Slade, Town Clerk, Town of Truro/ December 22, 1992

CONDITIONS AND FINDINGS (Con't)

9) The Board finds that the granting of this Special Permit, with the limitations noted, is in harmony with the general purpose of the bylaw. The Board also finds that in granting this Special Permit for a Fire-Rescue-Police building, a municipal structure, it sets no precedent for any future height exception, either residential commercial or municipal.

10) in granting this permit, the Board finds that present and future municipal needs of the Town of Truro, as well as the special requirements for the storage and maintenance and use of technical equipment, together constitute unique circumstances in this petition for relief.

11) The Board includes by reference a three-page submission filed with the Board of Appeals by the Town Building Committee, dated November 18, 1992, and entitled: "Summary of Request for Special Permit."



Signature

11/30/92
Date

A true copy, attest:

RECORDED JAN 13 1993

siting the building, meeting the specific requirements of each department, and holding to the budget.

- b. In the early design phases, a number of different building and roof styles were looked at. A flat roof or low slope roof was rejected on functional grounds (sloping roofs perform better, the low pitch would not allow future expansion into the attic over the office area) and on aesthetic grounds (a flat or low pitch roof would make the building look industrial or like a highway maintenance garage). The preferred roof shape was a traditional sloping roof.
- c. Traditional Cape-style roofs typically have a pitch of 10-in-12 or more. The proposed office roof is designed to 8-in-12 pitch, the apparatus garage at 9-in-12. These were considered the minimum in the acceptable range for it still to look traditional.

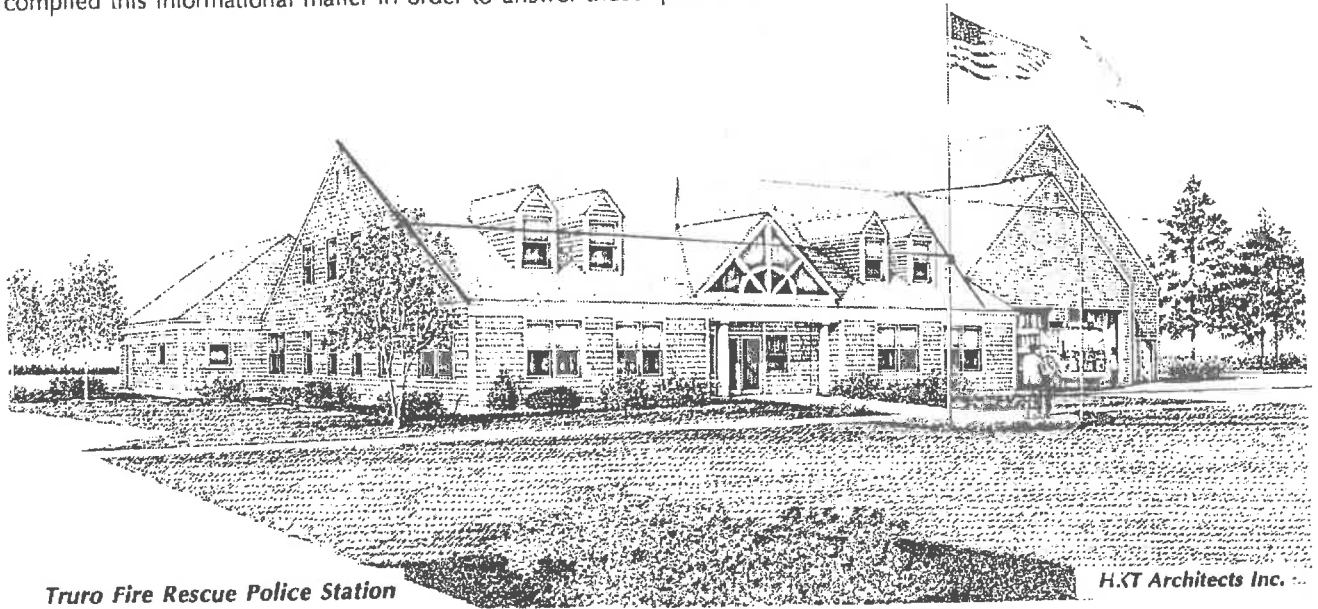
This is consistent with other fire stations on the Cape that the Building Committee and Fire and Police Departments visited. The Committee did not think that stations with low pitch or flat roofs would fit into Truro well; most stations did have pitched roofs, and because of the size of the apparatus bay, most of these roofs were high. The station in West Barnstable was the closest in size and form to that proposed for Truro. The roof height there was 38 feet and required a Special Permit.

- d. In previous presentations in model form, perspective and elevation drawings, the design was perceived by the public as harmonious, in proportion, and appropriate for the site and the Town. Because the proportions seemed comfortable, the roof height was not considered controversial. The Committee was most concerned about keeping within the budget and holding the line on space allocations. It was assumed that, as in other towns that we visited, a special permit would be granted routinely.
 - e. The Committee followed the required process in submitting plans to the Building Department and subsequently applying for a special permit for a height exception.
4. The proposed roof solution is unique to this project:
- a. This municipal building is not a house. The building represents the public safety function of the town, and as a civic building it should have presence.
 - b. The context for the building is the Route 6 General Business zone. The proposed station does not block views from other buildings. It is

A Memo from the Town Building Committee

The picture below shows the proposed design of the new Fire Rescue and Police station. At Town Meeting in the spring of 1992, the Town Building Committee was authorized to proceed to implement this design with final plans and specifications for construction.

Since that time, questions have arisen about the height of the proposed building. The Town Building Committee has compiled this informational mailer in order to answer those questions.



Town Building Committee
Town Hall
Truro, MA 02666

PRESORTED
FIRST-CLASS



Boxholder

617-776-6545

the village of West Barnstable. Located in a sensitive historic district, the station is designed with wood shingles and with Cape-style roof lines. Like most fire stations we visited, the roof was high -- in this case 38 feet. As in Truro, a Special Permit was required for this height, but the results seem well worth it, because the building resembles the clusters of houses and barns typical of the area around it.

A few Truro citizens have objected to the height of the building. **Exhibit 4** shows the height of the roof as designed. **Exhibit 5** indicates the relative amount of roof which is over the 30 foot limit.

When the design of the Fire Rescue Police station was being developed, we looked at alternatives for the roofs. It was clear that a flat roof was inappropriate. Roofs with very low pitches, often seen on industrial or metal buildings, were looked at and discarded as not Cape-like. Various designs were evaluated, and the roofs with pitches that began to approximate Cape proportions were the most satisfying. As the design was presented in model form, in elevations and perspective drawings, the general response was very favorable, in large part because the proportions felt right.

We also felt that it would be helpful to break up the bulk of the apparatus wing -- the "barn" part of the building, as seen from the highway. To make the height less imposing, the facade was stepped back, with a lower section in front at the height of the office roof.

Using the minimum traditional roof pitch for the apparatus wing of 9:12 pushed the height of the ridge over the 30 foot standard in the Truro zoning by-law. The by-law anticipates this, and accordingly allows buildings to exceed this height by Special Permit from the Board of Appeals. This process recognizes that there are special cases where the additional height is appropriate, such as a town hall, a church, a barn. In fact, there are buildings in Truro which are well over the 30 foot height -- the main wing of the School, churches, the Town Hall, and barns such as Horton's, Edgewood and Mulberry Farms and Snow's (now Castle Hill).



Exhibit 4: Front Elevation of Station with Roof Heights Indicated

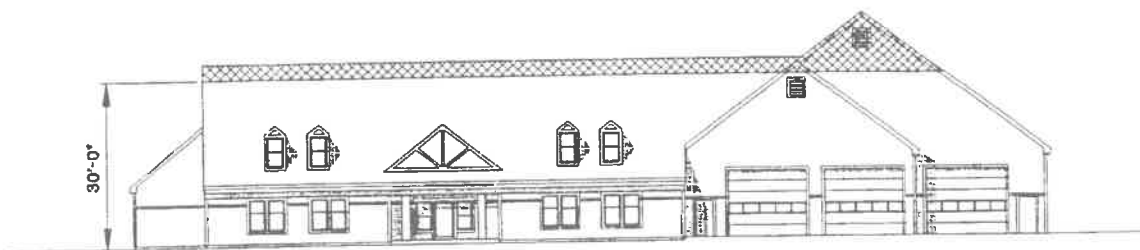


Exhibit 5: Front Elevation of Station
Shaded area indicates portion of roof above 30 feet

*file -
Spruit*

**OFFICE OF
TOWN CLERK
TREASURER - COLLECTOR OF TAXES
TOWN OF TRURO, MA 02666-2012**


July 17, 2000

Edward D. Pare, Jr., Esquire
Brown Rudnick Freed & Gesmer, PC
One Financial Center
Boston, MA 02111

S665 ZONING ORDINANCES AND BYLAWS CH 17

No variance or special permit, or any extension, modification or renewal shall take effect until a copy of the decision bearing the certification of the city or town clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or, if an appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds.

CERTIFIED DECISION ENCLOSED FOR RECORDING.


Cynthia A. Slade
Town Clerk, Town of Truro
508.349.3860

cc: Planning Board
Building Commissioner
Board of Selectmen/Town Administrator

3. The proposed tower will meet the requirements of Subsection (c) of said Bylaw in that it will be installed, maintained and operated in accordance with all applicable federal, state, county and local codes, standards and regulations; it will be manufactured to withstand winds and gusts of a category 5 hurricane; and the permit holder shall bring the structure into compliance with any new or amended federal, state, country and local codes, standards and regulations within six (6) months of their promulgation.

4. The proposed structure is a 170 foot lattice-style tower with a design to allow for future expansion to 190 feet. Therefore, the proposed structure exceeds the maximum height requirements contained in Subsection (d) of said Bylaw. The Board finds that the proposed tower will replace an existing 150 foot tower while accommodating all cellular communications companies who wish to conduct business in the Town of Truro, thereby complying with the 1996 Federal Telecommunications Act and eliminating the possible proliferation of towers throughout the Town. The Board found that the Town specifically sought proposals for the Truro Public Safety Facility site because there was already an existing tower in that location and, therefore, construction of a new slightly taller tower would have the least impact on the community while reducing the number of towers needed to service the community. The Board finds that pursuant to Subsection (x) of said Bylaw, a waiver of Subsection (d) is appropriate.

5. The Board finds that applicants have demonstrated that there are no feasible pre-existing structures on which they could co-locate in accordance with Subsection (e) of said Bylaw.

6. The Board finds that the site for the proposed tower is owned by the Town of Truro in accordance with Subsection (f) of said Bylaw.

7. Pursuant to the provisions of Subsection (g) of said Bylaw, the Board finds that proposed tower shall accommodate the number of cellular communications providers who presently express a desire to do business in the Town of Truro, and contains an optional twenty (20) foot expansion which can be utilized in the future to accommodate the maximum number of foreseeable users, with further Truro Planning Board and Cape Cod Commission permission.

8. Pursuant to the provisions of Subsection (h) of said Bylaw, the Planning Board finds that the existing facility at the proposed site cannot accommodate the number of cellular communications providers who presently express a desire to do business in the Town of Truro. The proposed tower will have the capacity to accommodate these providers.

9. Pursuant to the provisions of Subsection (i) of said Bylaw, the Board finds that the new tower is designed to minimize the visual impact on the surrounding area, to disturb the least amount of existing vegetation in the area, to blend with the surroundings, and includes additional vegetative screening. Fencing and tree plantings shall be done in accordance with the notations on the plans submitted with the application and entitled, "Sprint Spectrum, L.P., Site ID# BS13XC597B3, Truro, Cell One Police Tower, 344 Route 6, North Truro, MA 02666," as prepared by Clough, Harbour & Associates, LLP, 450 Cottage Street, Springfield, MA 01104, dated November 1999, and as modified and approved by the Truro Planning Board at its hearing held April 19, 2000.

18. Pursuant to the provisions of Subsection (r) of said Bylaw, the Planning Board held a public hearing within 65 days of the filing of the application and shall issue its decision within 90 days of the hearing.

19. Subsection (s)(1) and (2) of said Bylaw require the submission of certain surveys concerning the siting of this proposed tower. The Board finds that no such surveys were submitted nor required by the Board. The Board finds the Town of Truro solicited proposals specifically for the Truro Public Safety Facility Site. The Board finds that pursuant to Subsection (x) of said Bylaw, a waiver of Subsection (s)(1) and (2) is appropriate.

20. Pursuant to the provisions of Subsection (s)(3) of said Bylaw, the applicant has not submitted a Microwave propagation analysis showing the current frequency and intensity of radiation at ground level and at 30 feet above ground level. The Board finds that Sprint shall test the radio frequency emissions before and after the construction of the tower and shall reimburse the Town of Truro for its actual costs in an amount not to exceed \$2,000 annually, as adjusted by an escalation factor, to conduct annual radio frequency emissions testing and monitoring for purposes of comparing the results of the Monitoring to applicable Federal Communications Commissions ("FCC") standards, in accordance with Condition 8 set forth below. The Board finds that pursuant to Subsection (x) of said Bylaw, a waiver of Subsection (s)(3) is appropriate.

21. Pursuant to the provisions of Subsection (s)(4) of said Bylaw, the applicant must submit certain surveys regarding estimated sound levels emanating from the structure. The Board finds that such surveys were not provided or required by the Board. The Board finds that distinguishing and measuring the sound levels emanating from the tower as separate levels from those sounds associated with wind, tree and traffic noise heard at the perimeter of this particular site is complex and perhaps infeasible. The Board finds that the proposed design for this structure utilizes methods to minimize noise levels on the tower by cutting vertical mouth pipes flush or below the antenna panel, capping the mount pipes to minimize any additional wind noise resulting from the increased number of antennas on the tower, bundling the wires where feasible, and incorporating further noise abatement measurements where feasible. The Board finds that Sprint shall take benchmark measurements of the sound levels emanating from the tower at the four major compass points on the site both before and after tower construction. The Board finds that pursuant to Subsection (x) of said Bylaw, a waiver of Subsection (s)(4) is appropriate.

22. Pursuant to the provisions of Subsection (s)(5) of said Bylaw, the applicant must delineate all areas in Truro not served by the proposed installation for this site and an alternative site. No such delineation was made or required by the Board. The Board finds that the Town specifically sought proposals for the Truro Public Safety Facility Site. The Board finds that pursuant to Subsection (x) of said Bylaw, a waiver of Subsection (s)(5) is appropriate.

23. Pursuant to the provisions of Subsection (s)(6) of said Bylaw, the applicant has submitted a statement of the services to be supported by the proposed facility.

24. The applicant has submitted the plans required pursuant to the provisions of Subsection (s)(7) of said Bylaw.

Based on the approved Findings of Fact set forth above, the Board voted unanimously (5-0) to impose the following conditions upon the Special Permit:

1. The proposed tower and appurtenances shall be constructed in accordance with the provisions of Section VIII of the Truro Zoning Bylaw, the Truro Zoning Bylaw for Communication Towers.
2. The proposed tower and appurtenances shall be constructed in accordance with the plans entitled, "Sprint Spectrum, L.P., Site ID# BS13XC597B3, Truro, Cell One Police Tower, 344 Route 6, North Truro, MA 02666," as prepared by Clough, Harbour & Associates, LLP, 450 Cottage Street, Springfield, MA 01104, dated November 1999, as modified and approved by the Truro Planning Board at its hearing held April 19, 2000, and as modified by the more detailed construction drawings and approved by the Town of Truro in accordance with the provisions of the Lease Agreement.
3. The proposed tower and appurtenances shall be constructed to minimize noise levels on the tower by cutting vertical mount pipes flush or below the antenna panel, capping the mount pipes to minimize any additional wind noise resulting from the increased number of antennas on the tower, bundling the wires where feasible, and utilizing any additional noise abatement measures where feasible.
4. Sprint shall take ground level benchmark measurements of the sound levels emanating from the tower at the four major compass points on the site before tower construction and upon completion of tower construction and removal of the existing tower. Sprint shall file these measurements with the Truro Planning Board and the Truro Board of Health.
5. The tower structure and all appurtenances shall be maintained so as to minimize noise levels.
6. The permit holder shall execute a covenant to remove within six months any communication structure and building which has not operated for four consecutive months unless the cause is major damage which prohibits operation. In the event that major damage has rendered the facility inoperative, repair or removal of the facility shall begin within six months and be completed within an additional six months. Failure to comply with the conditions of the covenant shall be grounds for the removal of structures, buildings and appurtenances. Complete restoration of the site shall be at the expense of the permit holder.
7. Sprint shall, at its own cost and expense, provide Electro Magnetic Field (EMF) readings before and after the completion of the facility. Sprint shall file these readings with the Truro Planning Board and the Truro Board of Health.
8. Sprint shall reimburse the Town of Truro for its actual costs incurred for testing and monitoring the radio frequency emissions at the Site ("the Monitoring") and comparing the results of the Monitoring to applicable Federal Communications Commissions ("FCC") and Massachusetts Department of Public Health ("MDPH") standards in an amount not to exceed \$2,000 annually, as increased annually by the increase, if any, in the Consumer Price Index - U.S. City Averages for Urban

Dated: MAY 19, 2000

Paul Kiernan
Paul Kiernan, Chair

Russell Weldon
Russell Weldon

Kathleen Crosby
Kathleen Crosby

Christopher R. Lucy
Christopher Lucy

Nicholas Brown
Nicholas Brown

Christopher R. Lucy
Signature

MAY 19, 2000
Date

Received, Office of the Town Clerk:

This is to certify that more than twenty (20) days have elapsed since the filing of the foregoing decision in the office of the Clerk of the Town of Truro and no appeal from said decision has been filed.

A true Copy:

Attest:

Cynthia A. Slade
Cynthia A. Slade, Town Clerk June 9, 2000

CIVIL ENGINEERING
WATER RESOURCES
ENVIRONMENTAL
SANITARY
STRUCTURAL
WATERFRONT

east cape engineering, inc.

44 Route 28
P.O. Box 1525
Orleans, Mass. 02653
508-255-7120
Fax 508-255-3176

LAND SURVEYING
LAND COURT
SITE PLANNING
CERTIFIED PLANS

August 15, 2000

Mr. Roland Breault
Administrator
Town of Truro
P.O. Box 2030
Truro, MA 02666

RE: Review of Proposed Plans for New Communications Tower
Public Safety Facility, Truro, MA

Dear Mr. Breault:

East Cape Engineering, Inc. has completed a review of the proposed plans for the communications tower and associated facilities at the Truro Safety Facility Site.

The large scale plans on 24'x 36' paper were reviewed as well as the 8 1/2 x 11 submittal with the design of the tower structure.

Based on our review and my discussions with you, the following findings were noted:

1. The design of the tower structure appears to be based upon winds of up to 150 mph and an ice load of up to 1/2" thick.
2. The design for the tower structure includes future addition of a section to have a height of 190 feet above ground surface.
3. The tower footings include a large diameter drilled caisson (10 ft. diameter) to a depth of 41.5 feet below ground surface. It appears that the assumptions made on the site soil conditions are based upon geotechnical testing which was not included in the submittals, however, the stated properties are consistent with the soil types in the area.
4. No details are provided for the construction procedure for caisson installation. How is a 10 ft. diameter hole, 42 feet deep going to be constructed?
5. A review of the structural analysis and design indicates that the structure design has included "weak points" in the structure to direct breaking such that the whole tower will not tip over.

Planning Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004



DECISION OF THE PLANNING BOARD

Special Permit

and

Eligible Facilities Request Approval

Case Reference No.: 2020-014/PB

Atlas Map 39, Parcel 172A

Address: 344 Route 6

Title Reference: Barnstable County Registry of Deeds Book 21033, Page 80

Applicant: T-Mobile Northeast, LLC

Owner: Town of Truro

Hearing Dates: January 6, 2021; January 20, 2021

Decision Date: January 20, 2021

Vote: 5-0

Sitting: Anne Greenbaum, Chair; Steve Sollog, Vice Chair; Jack Riemer, Clerk;
Paul Kiernan; Peter Herridge

Following duly posted and noticed Truro Planning Board hearings held on January 6, 2021 and January 20, 2021, the Board voted to approve the application for a Special Permit under Sections 40.5 and 30.8 of the Zoning Bylaw, and to approve the applicant's Eligible Facilities Request, for modifications to existing antennas and other equipment on the tower sited at this property.

The following materials were submitted as part of the complete application for review:

- Application for Special Permit dated December 3, 2020
- Cover Letter from Adam F. Braillard, Esq. December 3, 2020
- Eligible Facilities Request to Modify Transmission Equipment at an Existing Base Station (letter dated December 3, 2020)
- Application to Renew the Existing Special Permit (letter dated December 3, 2020)
- Certified Abutters List
- Plan Set, "HY568/Cingular Truro, 344 Route 6, Truro, MA 02652, Existing 170'-0" Self Support Tower," T1; A1-A-4, inclusive; E1
- "Rigorous Structural Analysis Report" dated March 27, 2019 prepared by B+T GRP, stamped by John W. Kelley, PE
- "Mount Analysis Report" dated March 18, 2019 prepared by Engineered Tower Solutions, PLLC, stamped by Frederic G. Bost, PE, CWI, GC

Susan A. Joseph, Temporary Town Clerk, Town of Truro / March 15, 2021 / pages 1-5

A true copy, attest: *Susan A. Joseph*

The motion to approve the requested waivers, made by Mr. Herridge, and seconded by Mr. Sollog, passed on a vote of 5-0. Anne Greenbaum, Chair; Steve Sollog, Vice Chair; Jack Riemer, Clerk; Paul Kiernan; Peter Herridge voting in favor.

Findings under Bylaw Section 40.5 and Section 30.8

The Board makes the following findings:

1. The Board finds that the proposal complies with the Purpose of Section 40.5, in particular, where the proposed modifications “maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunications antennas”.
2. The Board finds that in replacing existing equipment on the tower, the Applicant satisfies all applicable requirements of Section 40.5(B)(1-18).
3. With respect to Section 40.5(B)(16), execution of a covenant, the Applicant states that it will comply with this requirement, and compliance is required as a condition of this permit. The Applicant will execute a covenant agreeing to remove all T-Mobile equipment from the tower, and all equipment from the lot/premises, under the circumstances described Section 40.5(B)(16), or under any other circumstances in which T-Mobile discontinues use of the equipment installed. T-Mobile does not own the tower, occupying it as a licensee of another carrier.
4. With respect to Section 40.5(B)(20)(a), submission of a draft contract, the Applicant has provided the original 2000 lease between Town and Sprint; 2004 assignment of lease by Sprint to Nextel/Southwestern/Cingular, and 2006 Site License Agreement between Cingular (now AT&T) as licensor and T-Mobile as licensee. The obligation addressed by Section 40.5(B)(20), removal of structures and site restoration, is now held by AT&T pursuant to Section 11 of the original lease and the 2004 assignment. The Applicant’s execution of the covenant described in paragraph 4 above will satisfy any obligation of the Applicant to comply with Section 40.5(B)(20).
5. Pursuant to Bylaw Section 30.8(C), the Board finds that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this bylaw.

Approval of Eligible Facilities Request

Pursuant to 47 U.S.C. s. 1455 (the “Spectrum Act”), the Board makes the following additional findings:

1. The modifications to the Transmission Equipment do not increase the height of the Base Station by more than ten (10) per cent or ten (10) feet, whichever is greater.
2. The modifications to the Transmission Equipment do not protrude from the edge of the support structure by more than 20 feet. Applicant confirms that the proposed installation will not protrude more than eight (8) feet from the edge of the support structure.
3. The modifications to the Transmission Equipment do not involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four.
4. The modifications to the Transmission Equipment do not entail any excavation or deployment outside of the Base Station site.

This Special Permit is valid for the Applicant T-Mobile Northeast, LLC only and it may not be re-assigned, leased or sold. Pursuant to Section 30.8 of the Zoning Bylaw, this Special Permit shall lapse after one year if substantial use thereon has not sooner commenced except for good cause.


Anne Greenbaum, Chair

2/22/21
Date

Received, Office of the Town Clerk:



Signature

February 22nd 2021
Date

I hereby certify that this decision was filed with the Office of the Town Clerk on February 22nd 2021 and 20 (twenty) days have elapsed since the date of filing, and:

No Appeal has been filed.

An Appeal has been filed and received in this office on: _____ §


Signature

March 15th 2021
Date

NOTE: Any person aggrieved by a decision of the Planning Board may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17)

THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT.

Jarrold Cabral

From: McKean, Lauren <Lauren_McKean@nps.gov>
Sent: Tuesday, February 1, 2022 5:32 PM
To: Jarrod Cabral
Cc: Carlstrom, Brian; Taylor, Nicole; Valora, Michael B
Subject: RE: Solid Waste Regs covering all NPS Units - affect on Truro DPW and Transfer Station Ops

Jarrold,

None of the prohibited uses in federal regulation 36 CFR Part 6 could be conducted at a DPW facility if created within the boundaries of the national seashore.

As for the transfer station, its operations should be consistent with the regulation or brought into compliance, which will require some follow-up between the town and the park.

Thanks for checking,
Lauren

Lauren McKean, AICP
Park Planner
Cape Cod National Seashore
508-957-0731

From: Jarrod Cabral <jcabral@truro-ma.gov>
Sent: Tuesday, February 1, 2022 1:51 PM
To: McKean, Lauren <Lauren_McKean@nps.gov>
Cc: Carlstrom, Brian <Brian_Carlstrom@nps.gov>; Taylor, Nicole <Nicole_Taylor@nps.gov>
Subject: [EXTERNAL] RE: Solid Waste Regs covering all NPS Units - affect on Truro DPW and Transfer Station Ops

Thanks, just to be clear we would be hypothetically moving the DPW garage to the sites abutting NPS property on Route 6 - 104 and 100, what would the restriction be for that. We would not be moving to or expanding the Transfer Station. I will review 6.5 and get back to – Thanks – Jarrod

From: McKean, Lauren <Lauren_McKean@nps.gov>
Sent: Tuesday, February 1, 2022 12:52 PM
To: Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Carlstrom, Brian <Brian_Carlstrom@nps.gov>; Taylor, Nicole <Nicole_Taylor@nps.gov>
Subject: Solid Waste Regs covering all NPS Units - affect on Truro DPW and Transfer Station Ops

Jarrold,

Please see these federal regulations concerning solid waste in National Park System units.

**Truro Select Board Meeting
Tuesday, December 10, 2019
Truro Town Hall Select Board Chambers**

Select Board Members Present: Janet Worthington, Chair; Susan Areson, Kristen Reed, Robert Weinstein

Present: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Sullivan-Clark

COMMITTEE APPOINTMENT

Mara Glatzel said she is interested in joining the Local Comprehensive Plan Committee as a parent, a business owner, and a participant in forming the Wellfleet Local Comprehensive Plan.

Robert Weinstein moved to approve the appointment of Mara Glatzel to the Local Comprehensive Plan Committee as a full member until such time as the Local Comprehensive Plan is completed. Kristen Reed seconded, and the motion carried 4-0.

TABLED ITEM: CURB CUT FOR 65 DEPOT ROAD

The application for a curb cut permit for Lisa Maria Tobia for 65 Depot Rd. remains tabled until the Town receives further information. Robert Weinstein asked that a delineation of the easement that exists be included in the plan.

SELECT BOARD ACTION

DPW Needs Assessment

Department of Public Works Director Jarrod Cabral said that Weston & Sampson had completed the feasibility study for a new DPW facility. He explained the process of interviewing staff, assessing of conditions, inventorying all equipment, and he introduced Weston & Sampson president Jeff Alberti, who provided an overview of the feasibility study through a PowerPoint presentation. Mr. Alberti outlined the key topics of Public Works responsibilities, the need for a new facility, proposals, the costs, and benefits. Photos demonstrated the inadequacies and code issues at the current facilities. The space needs assessment was tightened up after interviewing staff and consolidating uses, Mr. Alberti said. The report stressed the importance of indoor storage of equipment. Four possible sites had been identified for the facility, but only 340/344 Route 6, adjacent to the Public Safety Facility, passed criteria for size and environmental considerations. Mr. Alberti showed building elevations and massing in a conceptual rendering of the proposed facility at that site. The anticipated costs were listed with a total cost of \$20,666,000, calculated at the conceptual level. The funding schedule was broken into two phases: design and bidding to be presented as a debt exclusion override at Town Meeting 2020 and construction, based on actual low bid, to be presented as a debt exclusion override at Town Meeting 2021.

Mr. Alberti summed up the benefits of moving forward with a new facility and took questions from the Select Board and audience members. He addressed the biggest concern of cost with assurances that Weston and Sampson would be able to consolidate space, fine tune the design,

Robert Weinstein moved to hold a Special Election on February 18, 2020 to fill the vacancy on the Select Board. Janet Worthington seconded, and the motion carried 4-0.

A member was needed as Vice-chair of the Select Board.

Kristen Reed nominated Robert Weinstein as Vice-chair. Susan Areson seconded, and the motion carried 4-0.

Maureen Burgess's liaison and representative assignments will reassess after the May election, but some of her important ones for the National Seashore Advisory Commission, the Ad Hoc ADU Committee, Planning Board, Board of Health, Conservation Commission, and Charter Review need to be filled now. Select Board members volunteered for the positions they were able and interested in serving.

Janet Worthington moved to appoint Janet Worthington as representative to National Seashore Advisory Commission and Susan Areson as alternate. Kristen Reed seconded, and the motion carried 4-0.

Robert Weinstein moved to reassign the liaison as discussed at the meeting: Robert Weinstein – Ad Hoc ADU Committee; Susan Areson – Board of Health; Janet Worthington – Planning Board; Robert Weinstein – Conservation Commission; and Kristen Reed – Charter Review. Susan Areson seconded, and the motion carried 4-0.

FY21 Budget Task Force Schedule

Town Manager Rae Ann Palmer presented a schedule for the Fiscal Year 2021 Budget Task Force meetings. The first meeting will be to discuss the overall budget. The next meeting will be for the Capital Improvement Plan, and there will be three department head meetings. The Budget will be presented at a Select Board meeting in February 2020.

Susan Areson moved to approve the schedule for the Fiscal Year 2021 Budget Task Force meetings. Robert Weinstein seconded, and the motion carried 4-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 1. Application for a Curb Cut Permit – McArdle – 15 North Pamet Road
- B. Review and Approve 2020 Annual Business Licenses: Montano's Restaurant, Truro Vineyards of Cape Cod, and Chequessett Chocolate
- C. Review and Approve the Appointment of Jeffrey Ribeiro to Barnstable HOME Consortium and as Truro's Regulatory Liaison to the Cape Cod Commission
- D. Review and Approve Selectboard Minutes – November 12, 2019, November 19, 2019, and November 21, 2019

Kristen Reed recused herself from Item B associated with the Chequessett Chocolate business license. Robert Weinstein had a question about the plan for the curb cut at 15 North Pamet Rd.

TOWN MANAGER REPORT

Rae Ann Palmer reported that search process for Town Manager was underway with the Request for Quotes (RFQ) sent with closing date of December 20, 2019. She said the Town would be going to court the next day in the Truro Motor Inn case.

NEXT MEETINGS

Agenda items for the December 17, 2019 meeting include: a public hearing on the cable TV license, a Charter Review Committee appointment, CDP strategic plan, a presentation on the Coastal Resiliency grant, two condo use approvals, the CBG grant, SEMASS's contract, licenses, aquaculture development license renewals, and an updated Walsh Property community process plan.

There will be a work session on Thursday, Dec. 12th for discussion of the Town Manager search process and the Fire Department/Ambulance Association.

Adjournment

Robert Weinstein moved to adjourn. Kristen Reed seconded, and the motion carried 4-0.

The meeting was adjourned at 7:25 p.m.


Respectfully submitted,


Mary Rogers, Secretary


Janet Worthington, Chair

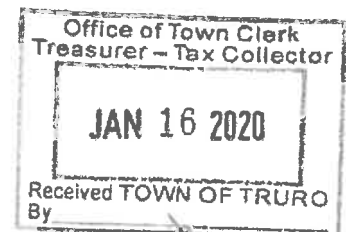

Susan Areson


Kristen Reed, Clerk


Robert Weinstein

Public Records material of 12/10/19

- 1. Appointment papers for Mara Glatzel



Jarrood Cabral

From: Jarrood Cabral
Sent: Wednesday, February 9, 2022 10:02 AM
To: Kaci Fullerton
Subject: FW: RAO Case # 202207
Attachments: Records Request DPW study.pdf; Records Request.pdf; Records request DPW Study 2.pdf

Good morning, please see the attached records and my comments below. Darrin would like Town Council to review these documents prior to releasing them.

From: Kaci Fullerton <kfullerton@truro-ma.gov>
Sent: Monday, February 7, 2022 10:32 AM
To: Kevin Kuechler <kkuechler@comcast.net>
Subject: RAO Case # 202207

PUBLIC RECORDS REQUEST: UPDATE

Case #: 202207

Hi Kevin Keuchler,

Regarding your records request:

- Any and all updates since February 11, 2020 concerning the proposed new DPW produced for, by and between the Select Board and the Department of Public Health, the Department of Public Works, any other town official or employee, and W&S including environmental, regulatory, legal, siting, design or finance information about the proposed DPW site;
 - **No updates.**
- Any communications with W&S regarding mitigating environmental or regulatory conditions related to each proposed site, including but not limited to next steps W&S proposed or which were referenced at the Select Board meetings cited above.
 - **There has been no communication**

A two-week extension will be needed to retrieve information from the Departments involved in this request as stated below. Your new date of production for this records request is **25 February, 2022.**

- All records relating to or supporting what Chairman Weinstein described as
 - “decades of potential contamination” at the Town Hall Hill site (including the site of the current DPW and Town Hall);
 - a “decade old monitoring of this site by the DEP”; **Please see attached documents**
- all records, notifications, orders and discussions regarding any action or remediation taken or needed for contamination at this current DPW site or of its abutters; its original or replacement well; and/or concerning conformance (or not) of the community well on site; **Please see attached documents**
- all documents detailing or discussing the mechanism cited as being in place that could trigger mandated remediation of identified contaminants at the current DPW site and the conditions or

Jarrood Cabral

From: Jarrood Cabral
Sent: Wednesday, February 9, 2022 9:39 AM
To: Kaci Fullerton
Subject: FW: RAO Case #202208
Attachments: Records Request DPW study.pdf; Records Request.pdf

Good morning, please see the attached records and my comments below. Darrin would Like Town Council to review these documents prior to releasing them.

From: Kaci Fullerton <kfullerton@truro-ma.gov>
Sent: Monday, February 7, 2022 10:41 AM
To: kknsl@aol.com
Subject: RAO Case #202208

PUBLIC RECORDS REQUEST: UPDATE

Case #: 202208

Hi Karen,

A two-week extension will be needed to retrieve information from the Departments involved in this request as stated below. Your new date of production for this records request is **25 February, 2022**.

- Any documents or discussions relating to Town Hall Renovations that conditioned approval on or otherwise cited or detailed the need for or agreement to the relocation of or changes in any building due to the placement of the well on the current site of the DPW. Reference herein is made to statements made to the Select Board by the Director of the DPW in 2017 referring to the above. **Please see attached DEP Documents**
- A copy of the engineering planned performed J. M. O'Reilly & Associates, Inc in 2014- as part of a feasibility study for possible use of the property at 340 Rt 6 for a housing project. This plan is referenced as an Existing Conditions Plan cited in the November 5, 2014 letter from Laurie Shufelt of the Massachusetts Housing Partnership to Charleen Greenhalgh and in an underlying letter and report from J.M. O'Reilly to Laurie Shufelt of October 31, 2014 which was attached thereto. **Please see attached**
- Any documents or discussions cited in or arising from the above feasibility study regarding conditions or costs related for the use of 340 Rt 6 that would for that housing project **DPW does not have this information**
- Any documents or discussions relating to the siting of any regional or shared DPW with other towns anticipated to occur within the next 15 years. **DPW Does not have this information**
- Any documents or discussions relating to the potential uses for or interest in the transfer, lease or use of any part of the Town Hall Hill parcel owned by the Town of Truro to any non-Town party. **DPW does not have this information**
- Any communications among or between the Town of Truro and any representative of the Federal government or the Commonwealth of Massachusetts regarding possible land swaps,

Select Board Meeting of February 11, 2020

Promised Follow-Up to DPW Discussion

The Select Board (SB) and Weston & Sampson (W&S) promised to answer the following questions, raised in public discussion at the SB Meeting of February 11, 2020, and to provide these answers as a next step in a public process regarding a proposed new DPW. These answers are an essential step in getting the information needed to determine the best configuration, budget and site for any new DPW facility. Nearly two years later, these questions remain unanswered.

Given the presumption and focus of W & S's report on the Safety Facility as the preferred location, the discussion at the meeting resulted in many questions being raised about that site in particular. However, some questions were also raised about other sites as well as about safety, regulatory and configuration issues. The public requested that alternate sites and configurations be considered that, taken together, may offer better and less expensive options for a new facility.

The most notable of the questions promised to be answered are listed below.

1. W&S agreed to look at **well relocation on the current DPW/Town Hall parcel** if rotation or reconfiguration of the proposed new DPW as depicted in its presentation is explored.

W&S reported that its conclusions about the possible relocation of the drinking water well at that site were based solely on information it had been given verbally about the Town having explored moving the well to another location on the site. Rae Ann Palmer and Emily Beebe stated that they knew nothing about any such exploration and confirmed that no well site analysis had been done.

2. W&S and the SB agreed to explore **well relocation from the DPW to Snow's Field or to abutting parcels** that were for sale at the time of the meeting.

Creation of a remote well at Snow's Field was suggested and explored by the Town DPW prior to 2012. Planning for such a relocation (which would alleviate environmental concerns for the location of a new DPW on Town Hall Hill and create more space for a reconfigured building), were dropped after the retirement of the then Director of the DPW.

3. W&S promised to explore the possible **relocation of salt storage** to alternate locations.

W & S stated that further work was needed including discussions with the DPW to explore the viability of alternate locations and operational issues if salt (and/or fuel) were moved to a second location. Given unacceptably high levels of salt in both the original and replacement wells at Town Hall and in the wells of abutters dating back to the 1990's, relocation of the salt shed was deemed important by members of the SB. Relocation of the salt shed (and/or fuel storage) would also offer more flexibility for redesign options of the current DPW location.

4. W&S promised to do a **cost-benefit analysis on indoor vs outdoor vehicle storage** specifically for Truro's fleet. This could result in significant configuration flexibility as well as possible savings in construction since the plan presented allocated 19,000 sq ft to indoor vehicle storage at a cost of over \$3.4 million in 2020 dollars,

Based on a paper published by W & S on the projected savings resulting from indoor storage for a larger fleet of vehicles in another town, it appeared that the costs of construction for indoor vehicle storage in Truro may not be justified by any potential savings given the size and composition of our fleet. Although such an analysis was not done as part of the feasibility study, W&S stated it has a computer program that would allow them to complete this analysis easily and agreed to do so.

5. W&S promised to review and report back on their **comprehensive environmental evaluation** of all proposed sites, including why W&S reported that various sites "failed" from a space or environmental issues. These were to include regulatory as well as environmental issues.

At the meeting, W&S could not detail why "failed" determinations were assigned to some locations. Site determination will strongly impact the final budget.

6. W&S promised to explore **variance and regulatory options** that might open up other sites.

In the 2/11/20 presentation, the Mass Highway site was deemed unusable because of salt contamination; why can't salt and fuel be stored there with rest of facilities elsewhere?

Possible Public Process on DPW Siting

Starting the Process - Feb 11

1. **Many Questions, So Few Answers:** Open the SB item for discussion recognizing many questions have been raised about the proposed move of the DPW. The Town has received many letters, public records requests, and attendance at related public meetings in which questions of many types have come up. Questions from the public include
 - a. why the DPW needs to move;
 - b. the process by which Weston & Sampson was tasked to review a specific set of sites;
 - c. how those sites were vetted, prioritized, and evaluated by W&S;
 - d. the proposed facility structure size and functions relative to Town needs;
 - e. the reasonableness of the proposed budget for construction;
 - f. whether the Safety Facility parcel can be used for this facility as it has been proposed,
 - g. whether the Town should potentially introduce acknowledged contaminants (like salt/sodium, fuel and hazardous chemicals) to a new, clear site
 - h. other issues related to the Safety Facility site, the current DPW site or alternate sites, including those that may be candidate parcels yet to be considered;
 - i. and more.
2. **The Select Board must know** if these questions have answers, and if those answers point in the direction suggested in the Weston & Sampson presentation discussed in December.
3. **Public Process Needed** - To sufficiently understand these issues and address questions raised, you recommend the SB begin an open and public process to address questions in a sensible order and get the facts into the public arena in a transparent way. You suggest a process that:
 - a. Establishes an ad-hoc public process akin to the Walsh parcel process - that is, a process that gives ample time to residents and taxpayers to understand and weigh in on the DPW's next incarnation.
 - b. The process should take the time needed to address community concerns and Town needs in a balanced way
 - c. That process starts at the beginning: Does the DPW need to leave its current site? If so, why? What are the facts on the condition of the property, limitations, options for remediation, costs for making the existing site work, if an option, amortization and depreciation of equipment vs new constructions costs elsewhere, etc.
 - d. From there, additional steps would have to be taken to address all issues raised.
 - e. Does the SB agree we should address this matter in the public way outlined?

[Motion/vote?]

Spring 2020 on: The continuing process might include steps such as these:

- f. **Eligible Town Sites** - Once the need (or lack thereof) to leave the current site is understood and substantiated, the SB would request a full review of all eligible Town-owned sites, including those suggested by community members, to see if salient facts, options or opportunities were missed, remain to be developed or lead to other

**Request To Select Board To Place An Item On A Future Agenda
At its meeting of January 14, 2020**

Good Evening.

I am Mike Janoplis, a lifelong resident who now resides on Parker Drive in one of nearly 50 homes that make up the Tru-Haven Homeowner's Association. As an individual and a representative of the HOA Board, I am here to ask you to place the matter of the proposed DPW site location on a future agenda. I believe the Cranberry Hill HOA agrees with this request, though I do not represent them. Together, we comprise more than 125 properties.

At your December 10th meeting, this Board heard a short presentation by Weston & Sampson concerning the DPW. The preferred site they proposed, at a cost of over \$20 million, was the greenway area surrounding the current Safety Facility.

The DPW facility has been footnoted in many recent budgets at ATM to be projected to cost under \$4 million and not to be undertaken until all overrides and capital debt were paid off. On this basis alone, this \$20 million project merits greater scrutiny and public discussion, especially since this Board has not discussed this since 2017. Then, this site was specifically rejected for the DPW and a future Select Board discussion was promised. Now is the time.

We are not sure that this Board - or Weston & Sampson - were made aware of many other serious factors that would take this site out of contention. This includes a conditioned variance granted in 1992 for the Safety Facility that created a protected greenway of all the undeveloped area surrounding the current facility. Extraordinarily, this was approved by Town vote as well. These actions were intentionally taken to protect our residential neighborhoods - not just abutters - forever. As a covenanted community, we have preserved our rural nature through many decisions and investments in our own residences and in HOA property.

But there are many other factors to consider as well - not the least of which is that in every review of the Safety Facility site since 1990 it has been specifically rejected for the DPW for safety, traffic, environmental, water quality, and noise reasons - among other concerns. The Weston & Sampson report shows no evidence of having considered any of these factors at this site in reaching its conclusions.

We also note that other potential sites were not considered, including the newly acquired Walsh property. We commend the Board's thoughtful process about that

February 3, 2020

The Select Board
Town of Truro

Dear Members,

I am writing to you as a member of the TruHaven Association and a property owner at 3 Crestview Circle. I know you are all quite busy but since I cannot attend the February 11th meeting, I wish to offer comments on the Feasibility Study for a New Facility for the DPW, as presented to the Select Board on December 10, 2019. I have also read the full report developed by Weston and Sampson. The study is a "Site/Fit" look at 4 Sites that the Town has identified as potential locations for a Facility whose need has been established.

I offer these comments based on my professional experience as a Registered Architect, now retired. My years of practice included participation in Building Design, Site Planning and Design, Street Planning and Design, and Environmental Reviews of large projects, both for Proponents and for Public Agencies.

The following is offered to be helpful and in the spirit of improving the Study's evaluations to reach the best conclusions:

1. The application of the "Program Model" on the 4 Selected Sites has not considered alternative ways of planning the Building to achieve a better Site fit; for example, some of the program could be stacked on a second floor to reduce the overall footprint, or to respond to the Site's dimensions and topography. This may affect the outcome of the evaluation and effect the Project's Budget.
2. The Environmental issues which led to the "failure" of Sites 2 & 3 have not been stated. A Brief listing of these issues would be very informative and may point to remediation opportunities that might make these Sites usable.
3. The Impacts created by each siting have not been identified. These would include Traffic, Noise, Views and Viewsheds, Tree Loss, Habitat Loss, Water and Watershed, affected Abutters, and others as determined. Identified Impacts should suggest mitigations that could be applied, and these should be appropriately costed. Without this process, layout and cost assumptions are premature.
4. Traffic conditions affected by the Facility, at all the sites studied, have not been discussed and we have concerns that Site 1 (Current Preferred) has not been looked at in the full context of the existing conditions. The Preferred Study employs the concept of Counter-clockwise flow for its Access – in recognition of the complexity of the "curb cuts" on Route 6 (by utilizing existing Driveways). But the Proposal adds a curb-cut, and presumably a left turn out of the Facility, located closer to the Fisherman's Road Intersection, on a curving, graded portion of the Road - its impact is not noted or evaluated. It is worth stating that Route 6, from the Intersections of Fisherman's Road and South Highland Street, to the Intersection of Aldridge Road, needs to be studied as a whole. Some form of which will undoubtedly be required by the State, the Owner of the Roadway who controls curb-cuts and Operations. This stretch of Highway is currently burdened by its curvature, its grade rise, the number of intersecting roads and left turns, lighting and seasonal sun issues; all of which are more difficult in adverse weather conditions when the demand for DPW vehicles is greatest. The existing traffic experience is already difficult and any additions or alterations should demonstrate improvements, such as turning lanes and appropriate stripping, signage, and safety lighting

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January 13, 2020

Ms Rae Ann Palmer
Town Manager
Town of Truro
P O Box 2030
Truro, MA 02666

RE: Proposed New DPW Facility

Dear Ms. Palmer,

I have been consulted by the Cranberry Hill Homeowners Association Inc. (abutter to the Town owned property at 340/344 Route 6) regarding the pending proposal to construct a new DPW facility at this site. I am reviewing the Town's process in selecting this site and designing the facilities, and note particularly a letter from Town Counsel (dated 2/24/15) about the site and past zoning decisions that might affect its future development, beyond the public safety facilities presently there. While that letter admittedly was directed only to the then prospect of an affordable housing development on the remaining land, and was based on limited information provided to counsel at that time, a conclusion that the previously granted zoning relief had no bearing on such future development is disturbing as it may be assumed to also relate to the now proposed DPW development. We would disagree with such a conclusion, and wish to voice that opinion up front.

As you may recall, in 1992, the proposed Public Safety facility needed a Special Permit from the Zoning Board of Appeals, as the structure was taller than the zoning bylaw permitted by right (there was also subsequent relief needed for the communications tower). At that time, the Town disseminated information

* Each attorney in this office is an independent practitioner
who is not responsible for the practice or liabilities of the other.

The Cranberry Hill neighborhood is adamant that the treed portion of the site must remain as a buffer for them from the highway and existing municipal facilities, as promised. They intend to advocate this position at all available venues, and to take any necessary legal steps to preserve this protective buffer in order to maintain the value of their properties and the peaceful enjoyment of their homes. We trust the Town will take due consideration of these citizens' rights and your responsibilities to them in its further review of the propriety of any development of this property.

Very truly yours,
Cranberry Hill, Inc
By its attorney:

A handwritten signature in black ink, appearing to read "David S. Reid", with a horizontal line extending to the right from the end of the signature.

David S. Reid

CC; Truro Select Board
Truro DPW Director
Truro Building Commissioner
Truro Zoning Board of Appeals

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Cranberry Hill

February 12, 2015

VIA CERTIFIED MAIL AND E-MAIL

Carl Brotman
Chairman, Truro Housing Authority
PO Box 2030
Truro, MA 02666

Jay Coburn
Chairman, Truro Board of Selectmen
PO Box 2030
Truro, MA 02666

Dear Mr. Brotman and Mr. Coburn:

I am again writing on behalf of the Cranberry Hill Homeowners Association. Cranberry Hill is a community of 77 homeowners. The private road and frontage on Route 6 owned by Cranberry Hill is adjacent to the Truro Rescue Facility, and three of our homeowners are direct abutters to the parcel referred to as 340 Route 6. We are writing to oppose the inclusion of any discussion of 340 Route 6 on the warrant for the upcoming Town Meeting.

After our letter of February 9, 2015 was emailed, the minutes of the December 17, 2014 Truro Housing Authority meeting were posted on the Town's website yesterday, February 11, 2015 – two months after the date of the meeting, but only two weeks before the March 1 cut-off for the upcoming Town Meeting Warrant.

There were substantive topics discussed and agreed upon at the December 17 meeting that were not notified in the published agenda prior to the meeting. As a result, we believe that any decisions taken with respect to the 340 Route 6 parcel at the December 17 meeting are void.

The agenda for the December 17 meeting posted on the Town's website prior to the meeting stated (at item 2) only that the meeting would "review status of 340 Rt 6 Feasibility Study". The minutes of the December 17 meeting stated instead that THA decided that it "will ask Spring Town Meeting for a vote to convey control of the 340 Rte/ 6 parcel to the Housing Authority" and that "Town meeting will convey the land to THA for use for affordable housing. Once conveyed, THA will explore all possibilities." The agenda for the meeting was clearly misleading and gave no notice or opportunity for the public to be heard.

When the Rescue Facility was built, there was a thorough and public discussion and vote on the design, mass, height and impact of the facility, which included a woodland buffer. What THA is proposing could reduce or eliminate the woodland buffer. The proposal could also put the Town in the position of reversing earlier commitments to adjacent neighborhoods given in exchange for the substantial imposition of the Rescue Facility and radio tower.